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THE

WESTMINSTER REVIEW.

JULY, 1830.

ART. I.—*Thoughts on Moderate Reform in the House of Commons.* London. J. Ridgway. 1830.

THIS article is destined to the consideration of the Ballot; leaving out of account, for the present, all the other ingredients, which go to the formation of a true Representative System, and are indispensable to the establishment of good government.

In proceeding to prove the utility of the ballot, this uncomfortable feeling intrudes itself,—that the task is useless. The evidence is so clear and incontestible, that it seems a loss of time to put it in words. The same considerations, one imagines, must occur to every other mind, and strike it with similar conviction.

Another feeling is produced, by the arguments of those who assume the part of enemies of the ballot. What they say has not the countenance, the colour, not one of the marks, of *bona-fide* reasons; such grounds as a man rests upon for the truth of an opinion really held. All their allegations bear upon them the broad appearance of mere pretexts; the sham pleas, which are invented and set up, as often as men are summoned to defend opinions, which they have adopted and are determined to maintain, from other considerations than those of their truth, or falsehood.

As matters stand, at present, in England, we should never forget, that in determining our preference of the secret or open mode of voting for a Member of Parliament, the real question is this; Whether the people who vote, should really

have the choice of the Member of Parliament; Or should only go through the formalities, the mummery of voting, including in it the prostitution of an oath, little regarded by a religious people;—while the whole power of choosing, should be really possessed by other parties.

It may indeed be affirmed,—it is not often so done in plain words, though it is of course habitually assumed,—that the last is the proper result; that the House of Commons ought to be chosen,—that is, a majority of the House,—by a few of the most powerful and wealthy men of the kingdom.

Allowing this assumption for the moment, overlooking all that is monstrous in the averment,—that a few men, who may, by their choice of Members of Parliament, employ, and abuse, the property and the persons of the rest of the community, for their own purposes,—will make a better choice for the community, than the community will make for themselves; we are then met by the inevitable question; Why, if this be so,—if it is indubitably true, that the small number will choose better than the great, and that the choice is actually and fortunately secured to them,—do we not abolish the fraudulent pretence which we now uphold? Why give to the people the appearance of a choice, which is nothing but a delusion? Is there not such a thing as lying by acts, as well as by speech? Is the turpitude of the mendacity less, when it is effected through the medium of the deed, than the word? Is there a more perfect instance, in the whole compass of imposture, of mendacity by deed, than that which is exhibited in the process of open voting for Members of Parliament in England?

If it be affirmed that the fraud and mendacity are, in this instance, good, in consideration of the end; because, though it be very undesirable that the people should have, in their rude and shapeless hands, any security for good government, it is very desirable that they should have the belief of it,—to this an unanswerable objection occurs,—that all hope of upholding such delusion has become vain. There is a new element among the working principles of human society, on the effects of which the retainers of this hope would do well to ponder. The art of printing exists. And the irresistible progress of the information which it diffuses necessitates, not a change merely, but a perfect revolution, in the art of governing mankind. In the times that are gone, the art of government has consisted in a mixture of fraud and force; in which, commonly, the fraud predominated. In the times that are to come, as fraud will be impracticable, and a knowledge of what is good and what evil in the mode of managing the national affairs cannot be withheld from the nation,

government will be left either to rational conviction, or to naked force. This is the grand revolution of modern times. This is the new era. And another thing in this altered condition of human affairs may deserve the serious consideration of those who have to do with the powers of government. All history proves, that force alone is inadequate to the government of mankind: even the approaches to the use of it have uniformly failed. The resort to fraud is alone complete evidence of the impotence of force by itself; for, doubtless, the fraud—always imposing shackles, more or less—would never have been submitted to, had the naked force been adequate to the end.—What is the conclusion?—As fraud has, heretofore, been combined with force; fraud must be supplanted by knowledge, in the future history of the world; and force left by itself is not competent to insure the obedience of mankind. It follows, that rational conviction alone is left for the auxiliary of force. But rational conviction will not afford its aid upon any terms except its own. It then becomes the governing power: and becoming the governing power, it becomes the sole power; for rational conviction needs not the aid of force.

But, to pass from these clear revelations of reason, which hold forth, as in a mirror, the future history of mankind; one remark is yet necessary to be made, upon the conduct of those abettors of delusion to whom this part of our discourse is more particularly addressed. This their plea for mendacity and imposture,—to which religion ministers as a handmaid, in the instrumentality of the oath—stands directly opposed to the argument, which we shall have occasion to handle more particularly farther on,—that the ballot is unfavourable to that grand principle of morality, Truth. What are we to think of the morality and faith of those men, who display all the vehemence of outraged moral feeling, when they contemplate the chance that, under the safeguard of secrecy, the voter for a member of Parliament may break the promise—extorted from him by a villain—to violate his conscience and betray the trust confided to him by his country; while at the same time they uphold the virtue and excellence of the grand practical train of mendacity by which the people are to be cheated into a belief, that they have a power, of which they are wholly deprived? Was there ever a more glaring exposure of a hollow pretence? What is different, in the two cases, upon the shewing of these persons themselves, is not the mendacity but —the end. In the one case, the end is, to place the powers of government, without limit or control, in the hands of the few. For that end, according to them, active mendacity is laudable. In the other case, the end is, to limit the exercise of the powers

of government to the attainment of the public good, by rendering the men, to whom the powers are confided, responsible to the nation at large. For this end mendacity, or the very chance of it, is to be treated as the most detestable of all conceivable things. We understand this morality; and we understand the men who seek credit upon the strength of it.

Besides the class, of whom we have hitherto spoken, who think that only the farce of voting should exist,—there is another class of our public men, who say, that they to whom the suffrage is given ostensibly, in England, exercise it substantially.

These men, of course, hold, that such a portion of the people as, in England, have the shew, should have the reality, of voting; otherwise they would belong to the class of whom we have already treated, and of whom it is not at present necessary to say any thing more.

It is implied in the supposed existence of such a class, that they believe the true, not the pretended, exercise of the power of choosing by the people who vote, to be necessary to good government.

The good arising from the freedom of suffrage being upon this supposition the greatest possible, the evil from corrupted suffrage, corrupted either by hope of reward or dread of punishment, the greatest possible—what would men do, who were in earnest about the attainment of this good, escape from this evil?

1. They would shew a great anxiety about the securities as they are, to know whether they are as complete as they can be made.

2. They would shew a great anxiety about the securities as they ought to be—that is, the means of making them as perfect as possible.

It will be very instructive to take a view, in these two respects, of the conduct of the class, who, assuming that the suffrage is now free, treat the proposition of ballot as contemptible or odious; in which class are comprehended the major part of the public men of England.

First, let us contemplate the pains which they take to make sure that the suffrage is now free; that there is no mistake in a matter of such vast importance; that the men who vote are really secure from any undue influence, and never lend themselves to the election of any but the men whom their innermost thoughts prefer. Did any of us ever observe any such anxiety? Men in earnest about an affair of so much importance would shew great jealousy of every suspicious appearance.

Elections are of two kinds; those for counties and those for

boroughs. Take the first, the county elections. What do we observe in regard to them? Are they perfectly free from suspicion? Does every honourable or right honourable person know with certainty, that no application is ever made to a county voter, which can hang a bias on his mind, and stain his vote with the character of corruption? If this were the case, the absence of all solicitude on this subject, so conspicuous in their conduct, would be perfectly accounted for, without impeachment of their sincerity and truth.

Let us advert to the real matter of fact. A large majority of all those who vote for county members, vote, under such circumstances of dependance, that they cannot vote contrary to what they know to be the inclination of such and such men, without the prospect of serious, often ruinous, consequences to themselves. This is a matter of fact, so notorious, that no man who desires to be treated as a gentleman would venture to deny it, in any other place than an assembly of representatives, chosen according to this impure principle. That, indeed, is a place, where men, under the guidance of a common interest, do make assertions, pleasing to one another, which the rest of the world hear with astonishment; and, when they hear, turn round to one another and say, "If these men were to use words to us for such purposes in private life, after what fashion should we treat them?"

Is there among those honourable and right honourable persons one, who has either been candidate for a county, or supported a candidate; and who has not, himself, to the utmost of his power, exerted both engines of corruption; both the dread of evil, where that engine was at his command; and the prospect of good, where it was not?

Is this the fact? And do we still witness, in an assembly so chosen, the language and countenance of men, who maintain, that the members of a representative assembly ought to be chosen without corruption—and that the representative system of Great Britain ought to be preserved as it is?

There is a pretext which is employed, and often successfully, to create and to spread delusion upon this subject. It may be necessary to expose this piece of sophistry before we proceed any farther. It is contained in the language which is held about the legitimate influence of property. We are asked if we would destroy the legitimate influence of property? They accuse us of a desire to preclude the legitimate influence of property; and under the shield of an equivocal expression, they vent a quantity of moral indignation. Those are exceedingly wicked people, who

desire to destroy the legitimate influence of property. They who desire secrecy of voting, desire to destroy the legitimate influence of property. Can there be a more complete demonstration against them? Can any men be more completely made to appear the proper objects of insult? richly meriting at once the scorn and the hatred of all those to whom property is dear: that is, of all but the most worthless and detestable of mankind, for how can society exist, or the innumerable benefits of it be preserved, if property is not secure? Thus the friends of the ballot are represented, obliquely at least, as the enemies of property; and then come all the images of spoliation, confiscation, anarchy, bloodshed, to annex odium to the individuals, and discredit to the cause.

The extreme folly of all this is easy to be made appear. It is only necessary to compel those fair and honourable, opponents, to show what they mean by the legitimate influence of property. We, the friends of the ballot, the plebeian, the democratical, the base, are fully persuaded, that there are two influences of property; one good, moral, beneficent; another bad, immoral, pregnant with the most baneful consequences. The first of these we are so far from desiring to see extinguished, that all our endeavour is to increase it. We can prove to demonstration, —at least before such men as care for evidence upon these subjects, and know how to value it,—that the course we propose to follow is not only calculated to raise the moral influence of property, to its greatest height, but that it is the only course by which it can be so raised. With respect to the immoral, the baneful, influence of property, we confess that we are democratical enough to wish to see it wholly destroyed. The men whose mouths are full of the talk about legitimate influence, did not like to be so explicit. We will explain the reason. Their terms, "the legitimate influence of property," includes both meanings; the moral, and the immoral, influence of property both together. This is exceedingly convenient. In this we see an example of the main artifice by which discourse is rendered the instrument of fraud.—Let two things, one good, and one evil, be confounded under one name; it is not difficult to tranfer the approbation, the attachment, or, on the other hand, the detestation and abhorrence, which they severally deserve, from the one to the other. And this delusion is always most easy, in things which are remote from the familiar knowledge of the senses, things which can be apprehended distinctly only by a certain clearness and force of the intellect. It is worth while to attend to the working of this sophistical machinery. The moral influence of property deserves all the approbation which its eulogizers bestow upon it.

That we may have clear ideas upon the subject, let us think for a little what it is. Riches, to the purpose we are now contemplating, mean, a certain quantity of power: power of bestowing—good more or less extensively—and also of inflicting evil on our fellow creatures. It is possible, we all know, for a man who is possessed of this power, to exercise it in such a manner as to become the object of the affection and reverence, not only of all those who come within the sphere of his virtues, but, by sympathy with them, of all those to whom the knowledge of his character is diffused. The opinions, the wishes, of such a man, become a motive to his fellow creatures. We desire to be able to concur with him in his opinions, we desire to be able to forward the objects of his wishes. If such a man expresses a decided preference of one of two candidates; the opinion of his virtue, that he would not recommend the man whom he did not inwardly prefer; and of his wisdom, that he would not be deceived, together with the unavoidable pleasure of giving him pleasure, would always go far to determine the choice of those who live under the influence of his virtues. This is the legitimate influence of property, in the sense in which it is moral. This is an influence which is as safe under the ballot, as without the ballot. The man who proceeds to the scene of election with that reverence in his heart, which the moral influence of property implies, will not be deserted of that moral impulse, when he places his vote in secrecy. The effect of it is as sure as if it were delivered before an assembled world; because it is the mind of the man that acts. The will, the choice, are his own.

Let us next contemplate the other, the immoral influence of property; to which also, by a vile profanation, the term "legitimate influence" is applied. We all know that, commonly, riches are so employed as to create no affection towards the possessor of them; to produce no reverence of his wisdom, and no sympathy with his desires, in the mass of the people by whom he is surrounded. This is not to be imputed, with any degree of harshness, as blame to the individuals. The effect cannot be otherwise, in a country, where the social relations are so ill constituted, as to afford no adequate motive to a more virtuous course. On the contrary, praise is to be awarded to those, as often as we find them, who think that one good of riches is to earn the love and esteem of those among whom they live. We are not without examples of persons who so employ their property—of not a few, who so employ it in the lower degrees,—of some, even in the higher. It is notorious, however, that these are not the great body of opulent persons. The rest seek their influence in a different way. That way is so familiar to us all,

that nothing more is wanted for the account of it, than the few words which are necessary to suggest it. We see, by daily example, how easy it is, for those who employ little or no part of their fortune to obtain the favourable sentiments of their countrymen,—nevertheless to make such a use of it as places a considerable number of persons in their dependence,—so to arrange their own permanent position with regard to such and such individuals, as to possess a great power over their happiness; the power of taking from them, or leaving with them, important means of well-being. This power over their happiness is unavoidably attended with a great power over their wills. Men do not choose to act in opposition to the desires of a man who can injure them greatly, when they have great reason to apprehend, that, by so acting, they will ensure whatever evil he can bring upon them.

This we call the immoral influence of property. This is an influence which can be used by the worst of men, as easily as by the best; supposing it for the moment an influence which any good man would consent to use;—an influence, which can be as easily used for the worst, as for the best of ends. The very opposite is the case with the moral influence of property; the native, inborn tendency in the human breast to promote the wishes of the man who has so employed the means of happiness at his disposal, as to fill our hearts with affection and esteem. This can be exercised only by virtuous men—can be employed only for virtuous purposes.

Let us now ask ourselves, under which of these influences, if we had our choice, should we desire our country to be governed. Suppose we had it in our power to give full scope to the exercise of the moral influence, and suppress entirely the immoral, will any man say that it should not be done?—What we affirm of the ballot is,—that it has this precious quality. It does bestow upon us this invaluable power. This is what we doubt not to be able presently to prove.

To return however for a little to the working of the immoral influence. Let us put before us a case. Let us suppose a country in which the representative system has been long established; and on such a footing that the powers of government are substantially placed in the hands of the representative body. Let us also suppose that portion of the community by whom the representatives are chosen to be so circumstanced that a large majority of them can be placed, and are at last effectually placed, mediately, or immediately, under the immoral influence of the property of a small number of men; in other words, that they vote such men to be representatives, as that small number bid them,

under compulsion of the evil which disobedience would bring upon them. Let us rest our thoughts, for a moment, upon the qualities of this social order,—upon such a relation of human beings to one another in the political union.

Let us first observe the obligations of those, to whom the function of voting is consigned. They are elected, and set apart from the rest of their fellow citizens, for the performance of a service to their country, upon which its vital interests depend. They are Trustees for the Community to which they belong; and in a Trust, importing the greatest good or evil, to the vast majority of their countrymen. Can there be a more sacred obligation? Is there any thing binding upon the conscience of man, if this is not to be considered binding in the highest degree? Is it not an act of virtue to be faithful to this Trust? Not an act of vice, to be unfaithful to it? Is there any thing in any conceivable act of treachery to render it odious, which is not in this act? Is not the habitual consciousness of treacherous acts, the perpetual feeling that a man is a villain? Is not the habitual consciousness of having been, and being now a villain, with the intention of continuing to be so, a complete perversion of the moral faculty? Is not such a man completely degraded from the rank of a moral being?

Let us now apply our serious thoughts to the condition of the men who are vested with this trust in our own country. It is matter of fact, notorious, and undisputed, that a certain number of opulent men hold the great majority of them in such a state of dependence, that they command their votes. Whatever may be the opinion of any individual of this large majority respecting the superior fitness of one of two candidates, he will vote for the other, if the man on whom his fears or hopes depend commands him, to what degree soever he may deem him unfit for the exercise of the power, with which he so contributes to invest him. The nature and quality of the proceeding are obvious to all men's perception. The opulent man applies to the voting man the means which are in his power to make him commit an act in the highest degree criminal,—to betray a trust of unspeakable importance, committed to him by his country.

We are told that the voters ought not to be guilty of such criminal compliance. True. So say we. They ought to perish rather. And so they would, under a social order morally constituted. But what is to be expected, in a state of things which has no tendency to generate the high feelings of public virtue; a state of things in which the hollow pretence of public virtue is indeed in sufficient repute, but any effective display of the

reality excites only feelings of hatred; a state of things in which the interests of the men who have the lead in the country, and who set the fashion, in morals, as in clothes, are habitually pursued in opposition to the interests of the country; a state of things in which not only the morals of the people (at least any morals except those which are cultivated for the benefit of Priests and Masters) are neglected from their infancy, but the means are withheld by which even the seeds of morality could be sown in their breasts? Does their country in this manner abandon the care of the people's morals; and does it reproach them with the want of them? Inconsistency here is not all;—the inconsistency has dishonesty for the cause of it. The people are placed in circumstances in which they cannot have morals—the grand morals we now speak of—the enobling sentiment in the breast of every man to regard the public interest as his own. We upbraid them with this; and what next? What is the inference we draw? Only this—that the care of the public ought to be abandoned; and a few men ought to have the power placed in their hands of sacrificing, according to their discretion, the interests of their country to their own. Is the inference fairly drawn? Is it supported by the premises? The virtue of the people, you say, is weak. Unhappily it is so, deplorably weak; What then? Would it not be good to take all possible means to prevent it from being exposed to strong temptation? So say the men, who recommend the ballot. This is denied by the men, who resist the ballot, and who of course desire that the bad morals of the people, and all their pernicious consequences, should remain; as he who rejects the remedy, clings to the disease. Who are the men who profit by these bad morals? The men in whose hands, through that odious instrumentality, the powers of government are placed. Have they any interest in improving the morals, by the badness of which they derive advantage of such importance?—Is it not a dreadful state into which a nation is brought, when its leading men have an interest in the badness of the morals of the people? Is it in the nature of things that, so situated, the morals of the people should be good?

Acknowledging, as we do most fully, the criminality of the voters; deeply sensible of the degree to which they are demoralized and degraded, by the part they act in returning members to parliament, let us now turn to the men who influence their votes, and endeavour to make an honest estimate of their virtues.

Let us first look at their conduct in its essence, and afterwards consider it in its circumstances. What is the nature of

the act, when a man attains the end he has in view, by being the cause of the criminal act of another person? Suppose the object, is to avoid the payment of a just debt; and that the man in question hires a person to make a false oath, which secures him that advantage; he is of course regarded as guilty of the perjury, in a higher degree, if possible, than the man by whose lips it is performed. Suppose the object is, to obtain possession of a fortune by the death of the person who holds it; and that the man we are supposing hires an assassin who executes his purpose: is not he who hires the assassin the real author of the murder?

Who is there that has not already made the application to the case which it is our present business to illustrate? The voter for a member of parliament has a trust placed in his hands, on the discharge of which the highest interests of his country depend. Moral obligation is without a meaning, if the faithful discharge of this is not among the highest of all moral acts; the faithless discharge one of the basest of all immoral ones. To render this high obligation more binding still, the sanction of an oath is added. The voter solemnly swears, that he will not betray, but will faithfully execute, his trust. What happens? The unfortunate voter is in the power of some opulent man; the opulent man informs him how he must vote. Conscience, virtue, moral obligation, religion, all cry to him, that he ought to consult his own judgment, and faithfully follow its dictates. The consequences of pleasing, or offending, the opulent man, stare him in the face; the oath is violated, the moral obligation is disregarded, a faithless, a prostitute, a pernicious vote is given. Who is the author of this perjury, this prostitution, this treachery? There are two odious criminals; but assuredly the voter is the least criminal, and the least odious of the two.

Observe the horrid spectacle; two sets of men, the one comparatively rich, the other poor, so placed with respect to one another, that they act upon one another, for mutual corruption; that they gain their ends upon one another, only by a renunciation of the most sacred obligations, and the commission of the greatest crimes; that, in order to have inward peace, in such a course of acting, they must succeed in obliterating every trace of the higher morals from their minds. The sense of obligation to the community to which they belong, the regard due to a trust, are not compatible with their situation. The men who have occasion for the prostitution, the perjury, the faithlessness of voters, and the most perfect indifference on their part to the interests of their country, must beware how they appear to have any regard for morality before such persons, or any regard for country.

The appearance they put on is a curious one: it is that of a feigned scorn for all the public virtues, and a real hatred. This mixture of feeling gives a curious character even to the countenances of persons of the higher ranks in this country, distinguishable in most, and very marked in some.

When men have renounced the real virtues, they look out for substitutes, to conceal the state of their character, and, if possible, make its outside fair. It would be inconvenient, in almost any state of the world, for a set of men to proclaim their indifference to the good of the community in which they live; even where they are exerting themselves with the utmost energy to place the interests of the community permanently in a state of sacrifice to their own. What do they do? They find out whereon to display their zeal something which may be made to appear the interest of the community, but is in reality their own. Thus, under the old monarchy of France, the privileged classes possessed Loyalty in a high degree—an ardent love of the *grand monarque;* in other words, an ardent love of seeing placed as much as possible of other men's property at the disposal of the king, which he with royal bounty distributed among them. Our own gentry have a still better cry. It is the constitution—the British constitution! When trampling on every moral obligation in their way to their object, they still claim to be patriots, on the strength of a love to the constitution. Their actions interpret their words. Their love of the constitution is a love of suborned and prostituted votes; a love of the power, thus placed in their hands, of raising taxes without limit upon the community, and dividing the proceeds among themselves. Loyalty, constitution, are pretty sounds. But what they mean is, Plunder.

The prostituted voter, we said, is less criminal, than his corrupter. Not only is he less criminal in the principal act; he being to a great degree the passive tool, the other the active agent; his crime being single, that of the suborner multiplied in every individual whose villainy he has secured; he is also less criminal in the circumstances of his act, they almost all in his case being extenuating, almost all in his suborner's case aggravating circumstances, of the guilt.

For what is the object of the suborner?—To seat himself in parliament. This may be for a public purpose, or a selfish one. The public purpose is not that of the majority of candidates. No man, even a member of parliament, out of the House of Commons, will pretend that it is. No man, who knows his countrymen, and who means not to counterfeit or deceive, will deny, that those who go into the House constitute two classes; those who

go in for the vanity of the thing; and those who go in for plunder: and that the rest, at the highest estimate, constitute a miserable exception. Take the most favourable case, that of the man who goes into the House with a virtuous intention; this is not one of those motives, which urging a man with vehemence in a particular direction, takes off from the odiousness of a bad action. But pass this case, and go to those which so nearly include the whole body. Take one of the men whose object is mere vanity—the distinction of being a member of parliament. Is there any thing, in this petty, vulgar, motive, to extenuate the guilt of an enormous crime? The motive of that proportion of candidates who seek admission for the sake of plunder, is itself wicked, and of course adds to the wickedness of the conduct by which the admission is procured.

Contrast with these motives that of the voter on whom the immoral influence of property takes its effect. His situation, most commonly, is that of an occupant of the land, or of a house, of the man by whom his vote is suborned. His prospect is that of being turned out of such occupation, if he does not lend himself to the designs of his suborner. In general this is a calamity of the severest kind. Often it is ruin, or something little short of it. In most cases, it is a great revolution in the circumstances of the man, and his family; full of anxiety, full of labour, full of risk. Not to incur such a catastrophe must always be among the strongest desires, the most overpowering motives, of a human being. It is a crime in any one, even for such a motive as this, to betray his trust, to violate his faith pledged to his country, and, as far as he is concerned, to deliver it up to misgovernment and plunder. But assuredly, if temptation makes any difference in the degree of crime, and every system of law in the world assumes that it makes the greatest, there is no comparison between the turpitude of the man who gives a dishonest vote in such circumstances, and the turpitude of him who suborns it.

Another tremendous accusation lies upon the class of suborners. They are the class by whom chiefly the moral character of the voting classes is formed. The opinions which they spread of what is honourable, and what dishonourable, become the governing opinions. But the habits of thinking, about what is right and wrong, what is shameful, what the contrary, diffused among any people, constitute the moral character of that people. If pains are successfully taken with them to prevent their thinking a certain course of action shameful, though it really be so, they lose by degrees all moral feeling on the subject; in other words, are reduced to the most frightful state of

moral corruption; they obey every temptation to any vicious act of the kind supposed, without the smallest self-condemnation or moral repugnance; the most feeble, the most contemptible of motives, therefore, is always adequate to the production of the crime.

Those who desire to get possession in their own country of the powers of government, exempt from all real responsibility, that is, for the purposes of plunder—for in such circumstances the motives to public plunder are irresistible—have no stronger interest, than in preventing, as far as they can, the existence of any such opinion as that public plunder is disgraceful; that is to say, public plunder in the essence of the thing; for as to certain forms of it—if such as they have no occasion to practise—they care not to what degree public opinion may be turned against them; nay, are ready with their aid to heap disgrace upon them, as a convenient method of diverting attention from the forms in which they indulge and preventing them from being duly considered and understood. If they have such an interest in preventing public plunder from being reputed disgraceful, they have no less an interest in saving from such moral condemnation all the crimes which minister to that result, and are necessary to its attainment. Among these the most important by far is the prostitution of votes. And, accordingly, no more remarkable instance can be produced of the power of the leading classes over the moral sentiments of mankind; the efficacy with which the successful prosecution of their sinister interests generates moral corruption in the body of the people; than the utter extinction of moral feeling in England with regard to voting for members of parliament. Shallow, thoughtless men, even if they are not corrupt, can hardly be made to conceive the extent of this calamity; for, along with the extinction of the moral feeling in regard to voting, must go the moral feeling in regard to acts in general, by which the common good and evil rarely are affected; the very notion of virtue and vice therefore becomes divorced from the thought of public acts as such; and men may be wicked to the highest degree in public transactions, without becoming disgraceful. This is nearly the last stage of public calamity: for there remains but one alternative;—the eternal existence of the misrule;—or a convulsion to obtain deliverance from it.

We conceive that little more remains, to demonstrate the utility and the necessity of the ballot: For we affirm, and think we shall be able in a few words to prove, that the ballot is a remedy for a great portion of all this evil; easy of application,

and of all remedies, possible to be applied, the most unexceptionable, on account of any evil consequences arising out of itself. We reason thus:—If it be proved that any where an enormous amount of evil exists, that an agency may be applied which will remove, if not the whole, a great part, of all this evil, and that to this agency no hurtful consequences are attached, which can be reputed an equivalent for one of the millions of evils which it will remove, the argument for its application seems to be as complete as demonstration can in moral subjects be. We know but one objection which can be made to it—that it is too complete. This is an objection not unlikely to be made. There are people who, precisely because it is complete, and, being complete, is not conducive to their ends, may call it an *a priori* argument, or by some such unpopular name; and will, on that ground, with much briskness, infer, that it is good for nothing. People who have their reasons for not liking a conclusion to which demonstration leads, have nothing for it but to decry demonstration. They indeed obtain credit only among the blockheads. But then the blockheads are the greatest both in number and power. It is not every man's ambition that goes higher than this.

We suppose ourselves to be arguing with persons, who really hold that there is a difference between one government and another: that it is of great importance to the community, whether the persons, to whom the management of their affairs is confided, do or do not act under an efficient responsibility to them. We suppose that we are arguing with persons who hold the British constitution to be something more than a name. All the eulogies we hear pronounced upon it proceed upon the assumption, that there is an immeasurable distance between a good government and a bad; that in the good government there are securities for the good conduct of those to whom the management of the public affairs is confided; and that in the bad government there is a want of those securities.

Representative government is a contrivance for affording those securities, by giving to the public the choice of the persons who have the management or at least a perfect control over the management of the public affairs. But where are those securities, if the people have not this choice—if they have nothing but the name of choosing, with some vain and fraudulent formalities; while the real power of choosing is exercised uniformly and steadily by the same small number of men. This small number of men are really, then, the governors, under no responsibility at all. Is it possible that in these circumstances the public affairs should not be mismanaged;—that they should

not be managed under a perfect subserviency to the interests of that small number; in other words, that the interests of the governed should not, under a government so constituted, be habitually sacrificed to the interest of the governors? Does badness of government consist in any thing else than this?

Now is not the time to enter upon the display of all that is contained under the dreadful term, badness of government; or of the items in the shocking catalogue which are most remarkable in the government of our own country; though nothing is more important than the frequent recounting of those evils, which they who suffer them always know, but of which they lose the accurate and pungent sense, if the thought of them is not frequently and vividly renewed.

The question we have to resolve will now be seen to be easy, because it turns upon a single point. All the evils of misgovernment, which we suffer, and to which we are liable, cumulated with all the evils of that horrid immorality which results from the giving and suborning prostitute votes, arise from this;—that the people of England do not choose the members of parliament, that the majority of them are chosen by a small number of men.

It is so clear as not to admit of being rendered clearer by argument, that what gives this small number of men the power of choosing, is the openness of the voting. It is the openness, therefore, of the voting that corrupts the government of England, and corrupts the morals of the people of England. That which enables the men, who hold the voters in dependence, to suborn the votes, is their knowing how the vote is given. Render it impossible for them to know how any vote is given, and their power over it is gone. The power either of rewarding a prostitute vote, or punishing an honest one, is useless, whenever it has been made impossible to be known whether the prostitute or the honest vote has been given. Effect this impossibility; take away the power of knowing how the man who votes for a member of parliament has bestowed his vote, and see the consequences. You give effectual securities to the public, that the affairs of the public will be managed for their interest, not sacrificed to the interest of their rulers; and you take away at the same time one of the most terrible engines of moral depravation, which ever was wielded for the pollution and degradation of any portion of mankind. Are not these important effects to be derived from so simple a cause? And is not the cause which produces such effects the more to be cherished and esteemed because of its simplicity?

The men in parliament who allow themselves to speak without repugnance of parliamentary reform at all, generally confine

their favour to moderate reform. If the actions of these men corresponded with their words, we should have them with us on the question of the ballot. For can there be any change more moderate, than that of converting an open vote into a secret one? Allow every thing else to remain as it is. Keep to the same voters exactly, and distribute them after the same manner. Do not even alter the duration of parliaments. Not that these things are as they should be. They might be altered, we think, for the better. But the ballot would operate so powerfully as an instrument of good, that the inconveniences which might still arise from these defects, if we had the ballot, would be far less severely felt.

This moderate, very moderate reform, could obviously have none of those effects, which are commonly painted in tragic colours, to frighten weak, fearful people, from every thought of reform. It cannot possibly have any farther effect, than that of bringing the practice of the English constitution into a conformity with its theory—that theory, which renders it "the envy of surrounding nations, and the admiration of the world." That theory, undoubtedly, is, that the people choose. The practice is, that they do not choose. The ballot, and that alone, can enable them to choose, and render the British constitution in reality what it now is only in pretence.

There is another important argument in favour of the ballot. Nothing else can render the constitution of England conformable to the conception and expectations of its kings. When they, upon some great emergency, have recourse to a new, as a fitter instrument than an old, parliament, they declare that they have recourse to the sense of their people; meaning, of course, that the sense of their people is expressed in the choice of members of parliament. They know not, it seems, that it is not the sense of their people which is so expressed, but the sense of a small number of suborners of votes.

There are two blemishes in our representative system, as it stands, which even those who admire it as it stands, allow to be blemishes; and on which they are often pleased to descant as great and horrible evils. These are—expense of elections, and bribery in corrupt boroughs. Often have they tried their hands at legislating for a remedy of those evils. Notwithstanding the greatness of their efforts, notwithstanding the magnitude of the expended power,—the difficulties have still overmatched them. The collective wisdom of the nation has been baffled in a contest with cost, and corruption; and these blemishes still remain. It ought, with such parties, to be a strong recommendation of the ballot, and would be, if they were honest and sincere in what they

say, that it would radically cure these acknowledged diseases of the parliament. See how clearly and immediately the result appears. With regard to bribery, who would go to the expense of paying any man for a vote, when, for aught he knew, it was given against himself? As money for votes rendered in secret can have no effect whatever to secure the vote for which it is given, the man would be mad, who would throw it away in that manner.

Let us next attend to the cost incurred at elections, without regarding what it consists in, expense of conveying distant voters, entertainments; or favours of other description, money, or money's worth; the ballot would put an end to it all. Men will not incur expense for the attainment of an object, when it is clear that such expense can have no effect whatever in procuring the object. This is most indubitably the case with money spent on account of a vote given in such secrecy, that whether it is given for you or against you, you never can know. Under such a system the practical consequences would be, that only those men would vote who could do so free of expense, or were willing to defray their own charges.

We observed, toward the beginning of this article, that the enemies of the ballot in parliament are divided into two classes: one, that of the men who admit the limited number of real choosers, and defend it as the perfect state of the British constitution; the other, that of the men who, though they partly admit, partly also deny, the limitation of the number of real choosers by the operation of open voting, but who loudly express their conviction that voting ought to be free, and ought not to be perverted from its honesty by either of the two instruments of corruption, dread of evil, or prospect of reward. The former class are a very small minority in parliament, and the ground they take so very untenable, that they deserve no more of our regard. The latter class may be considered as making up the body of parliament. To them we now address ourselves, with an assurance of accomplishing one or other of two objects; either gaining their co-operation; or covering them with the shame of holding a language which their actions belie. By what pretence, we ask them, can you attempt to resist our conclusions? Will not the ballot render voting independent and honest; which you allow it is not at present, so perfectly at least as were to be wished. Will it not effectually annihilate expense of elections, as well as bribery and corruption? Will it not, in this manner, effect all which you conceive to be necessary to render the representative system of England perfect? It is, if your conception be right, a perfectly radical reform of

parliament; and that by means to which no artifice can attach the idea either of difficulty or danger. The change of open into secret voting excites no disturbance; weakens the security of no man's rights; takes away no influence of property, except its immoral influence: while it is attended with two effects of unspeakable importance; it brings into action the only security for good government; and it puts an end to the most demoralizing traffic between the leading men of the community and the body of the people, that ever had existence upon the face of the earth.

The language which some of them sometimes employ to meet, and resist all this body of evidence is truly astonishing. If it was not seen, it would not be credible, that men could be found who without any necessity would stand up and shew such weakness.

"The ballot is not English;" that is one of their phrases, in speaking against it. Why not English? Upon what ground do you take upon you to refuse the use of the term "English" in conjunction with the word "ballot?" If the ballot be a necessary means to the most important of all ends, and the word "English" is not applicable to it, the word "English" is then not applicable to one of the best of things—that is all. But the word "English," we suppose, is truly applicable to the system of suborning, and prostituting, votes, by which the character of Englishmen is depraved, and the interests of the English nation are trafficked away; and if so, it is applicable to one of the worst of things. Assuredly, the men who treat the word "English" in this fashion, are not the men who use it with the greatest honour.

The state of mind, however, of the man who, in the great council of the nation, when a solemn question is opened, whether a certain expedient is or is not necessary to secure the best interests of the community, gets up and pretends to terminate the whole deliberation, by refusing the application of the word "English," must be regarded through all time as a curiosity.

This is a new test of good and evil. In point of handiness, it certainly would be, if fit to be trusted, a very desirable one. Is any man in doubt, at any time, about the goodness or badness of any thing. Only touch it with the word "English": immediately, as when the Devil was touched by the spear of Ithuriel, it starts up in its real shape and dimensions; and all uncertainty about it is dispelled. There is, however, one objection to it, and that a serious one. It would supersede the use of wisdom, in the great council of the nation; and would entirely

put an end to the veneration which is now, on account of its wisdom, so justly bestowed upon that august assembly, by all who enjoy the spectacle of its proceedings, or have the happiness of tasting their effects.

We fear also it is a test, the use of which ought to be confined to the privileged hands; for if the people were allowed to apply it, as well as their rulers, there might be strange diversity. That might appear very English to the one, which would be very un-English to the other. For example, the people might think every thing which was really good toward saving them from the curse of misrule, was most perfectly English; and of course the ballot itself, if it was a thing of that admirable tendency. They might be led the more easily into that mistake, in respect to the ballot, by observing what is the English practice; that the ballot universally obtains where those, who have the power of determining the mode of voting, have a real interest, however slight, in the freedom and independence of the votes.

The men who themselves are in the habit of using the ballot, on small and on great occasions, during the whole course of their lives, stand up and say to an assembly of men who are all doing the same thing, that they ought to reject the ballot in parliamentary elections, because it is not English! Did we not speak true, when, towards the beginning of this discourse, we said, that the pleas of the enemies of the ballot had not even the look of honest arguments? that it was impossible to consider them as any thing but the pretexts; which must be found, when a position, which canot be supported by reason, is to be maintained in spite of it?

Among the opponents of the ballot in parliament are some who cannot so much be said to argue, as to groan, and use inarticulate cries against it. Of this kind are those who say, They hope that they shall not live to witness the time, when Englishmen shall not have the spirit to deliver their vote in the face of day. It would be as honest, and about as wise, to say, they hope not to live to witness the time, when every Englishman shall not have his carriage and pair. If they were to say, which would be the only thing to the purpose, that they hoped not to live to see the day when an Englishman would not go to the hustings, and fearlessly vote for the man of his choice, without regard to the dictation of any person upon earth; the falsehood of the pretext would be too glaring to be successful, even in a country where as much is done by hypocrisy as in England. It is matter of fact, notorious and undisputed, that a great majority of those who vote for members of parliament in England, proceed to the hustings under the influence of what they

either hope to receive, or dread to suffer, and prostitute themselves in the most infamous manner, by voting, not according to the dictates of their own minds, but like crouching slaves, at the will of another. Are these the circumstances in which votes are commonly given in England, and are men found who say they hope not to live to see the day when Englishmen will be afraid to vote openly? Patience would be found to hear them, in no assembly, we think, upon earth, but one composed of the very men who suborn such votes. Courage to vote as Englishmen vote, at the command of those by whom they are bought, or driven, is the courage of the slave, when he lends his body to the lash. Are there men, who pretend a horror at the prospect of parting with this, and receiving in exchange for it the protection of secrecy, because secrecy would degrade the people?

A wish for elevating the minds of the people is an admirable wish, and the profession of it is truly a pretty profession; but the true character of the profession is known by the character of the things which follow. Is the wish not to see Englishmen vote secretly, a wish that Englishmen should have sufficient independence of mind to vote as they please, though all the world should know in what manner they vote? We also entertain that wish most fervently. We have another strong wish; that all Englishmen were above being paupers. We apprehend, however, it would little answer any good purpose for us to use the *formula* of those who level their wishes against the ballot, and say, they hope not to live to see the day when Englishmen will live upon charity. Poverty makes the people of England willing to live on charity. Dependent circumstances make them willing to prostitute their votes. Your choice lies between prostitute voting and secret voting. There is the deepest degradation in prostitute voting. Not only is there no degradation in secret voting, but it saves from all the degradation inseparable from prostitute voting; all men, therefore, who deprecate the degradation of the people, not with hypocrisy, but in earnest, are of course the advocates of the ballot.

But, on what authority, we shall be asked, do we make the assertion, that there is no degradation in secret voting? On the authority, we reply, of those very men who say that there is. What! do the same men, who say that secret voting is degrading, say also that it is not degrading? They do; as you, and as they, and as all men, are perfectly aware. You see them constantly practising the ballot, and introducing the use of ballot, without a thought of self-degradation, wherever it is really their wish that the vote should be protected from external influence. In order to protect themselves from the trifling incon-

venience of displeasing somebody, by black-balling an improper candidate for admission into a club, they themselves take the benefit of secret voting. Can there be a more perfect proof that they do not regard it as degrading? Can there be a more perfect proof that when they refuse to the honest voter for a member of parliament the same protection against far more serious consequences, on the pretence that it is degrading, they are not sincere? Observe, too, the difference of the ends. That improper members may not be admitted into a club, the secret voting is needful in the one case. That improper members may not be admitted into the legislature, it is needful in the other. Do you dare to say, that the use of it is not degrading in the former of these two cases, that it is degrading in the latter? That the end sanctifies the means in the former case, not in the latter?

"I cannot abide muffling up," says one honourable gentleman; and by such an appeal to sentimentality, manfully proposes to decide one of the most important questions of legislation. If a great end is to be gained by muffling up, why should there not be muffling up? The nature of the pretext is so manifest, that it would seem not to be worth exposing; and yet there are persons for whose sake it may be proper to attract a little attention to it. If there were any argument in these words, it would rest upon this, that all secrecy is bad. If some secrecy is good, the man who says he does not like it, renders us one good service; he gives us full warning against taking him for a guide. Every body knows, this honourable gentleman knows, that, in itself, secrecy is neither good, nor bad. It is good, when it is the means to a good end; bad, when it is the means to a bad end. It is not base in the General, it is meritorious, to "muffle up" his designs from the enemy. The more perfectly he can, by concealment, stratagem, dissimulation, guile, delude their expectation, the more is he admired. It is not base in negotiation for the statesman to conceal with the utmost care the extent of the concessions he would make, rather than fail in the attainment of his object. Every government makes a point of concealing such part of its proceedings, and, as far as possible, such particulars in the national affairs, as it would be detrimental to the nation to let other nations know. If it be detrimental to the nation, that the mode should be known in which a man gives his vote for a member of parliament, that also, for the same reason, ought most assuredly to be kept from being known. One is ashamed to feel oneself obliged to contend against such puerilities.

There are some persons, who make a bold use of certain asser-

tions with regard to the American United States, in opposition to the ballot. Some people have been there, and on the strength of a drive through the country, performed in a few months, give us their assurance, that, in the United States, the ballot does not answer expectation. Others have derived the same insight from conversations had with people of the United States.—What is the value of such assertions? Just nothing at all. Vague, hazarded declarations, respecting the interior and hidden working of the institutions of a foreign country, put forth in a debate to silence an adversary, declarations no man would repose even the smallest confidence in, if the question regarded a matter, about the truth of which he was really in earnest; the prudence, or imprudence, for example, of investing his fortune in the United States. He would go to other evidence, than the second-hand testimony of the one, or the reports, delivered by the other, of what was seen by the eyes, respecting a thing not to be understood by the eyes.

This, in itself, is a point of importance. It cannot be passed without notice. It is not generally understood of how very small a number of men the statements, respecting countries they have seen, can be received with moderate reliance. The number of accurate observers in the world is exceedingly small. It is well known to all those persons who have occasion for accurate information, to judges, for example, and others, who take evidence in courts of justice, how inconsiderable the proportion of persons is who see and hear accurately, or can, by the utmost exertion of their wills, give a true account of some ordinary and not very complicated scene, in which they have been present. The merit of the judge consists, not in relying upon the statement of one witness, or the statement of another, but in confronting the statements, and from the knowledge he has of the laws of human nature, and the order of human transactions, divining the truth.

If such is the inferiority of individual testimony in the ordinary transactions of ordinary life, what must it be in the accounts we receive of countries and nations? Here the men who have occasion for accurate knowledge; the historian, for example, of a country, the state of which he is obliged to expound to readers who have but little previous acquaintance with it have most remarkable experience of the necessity of the deductive process, in order to arrive at the truth. It is not this or that man's testimony, but the result of all the testimonies, which affords any sure ground of reliance. Individual testimony here is beyond measure less perfect than that which is delivered before the judge; both because it relates to matters, of which it is infinitely more difficult to give correct testimony, and because it is

delivered in circumstances far less favourable to accuracy. By combining the whole, and interpreting one thing by another, certain leading points are made out, and a philosophical acquaintance with human nature is the guide to the rest. In all history, the great, the public, notorious facts, alone, are known with certainty. The minute particulars almost always rest upon very indifferent evidence. The great, the leading facts, therefore, interpreted by a philosophical knowledge of human nature, comprehend the whole amount of the information which history bestows.

We have the very fortunate advantage of high authority upon this subject. M. Talleyrand, whose character will not be challenged as a practical man, even by those who misunderstand the value of what they distinguish by that application, passed, as is well known, a part of the time of his emigration in the United States. His testimony will be regarded by every body as possessing peculiar value. What is it that he tells us? That there are certain grand leading facts, known to all the world; and that he who is capable of interpreting these facts, knows more about the United States, in whatsoever part of the world he may be, than the ordinary man who is upon the spot, examining every thing with his five senses.

There is a letter which Madame de Genlis received from this extraordinary man, during his residence in the United States, from which we extract the following passage:

"Ce pays-ci est une terre où les honnêtes gens peuvent prosperer, pas cependant aussi bien que les fripons, qui comme de raison, ont beaucoup d'avantages. J'avois envie d'ecrire quelque chose sur l'Amerique et de vous l'envoyer; mais je me suis aperçu que c'etait un projet insensé. Je renvoie le peu d'observations que j'ai faites aux conversations que j'espere avoir quelque jour dans les longues soirées avec vous. L'Amerique est comme tous les autres pays: il y a quelques grands faits que tout le monde connaît, et avec les quels on peut d'un cabinet de Copenhague deviner l'Amerique toute entiere. Vous savez quelle est la forme du gouvernement; vous savez qu'il y a de grands et immenses terrains inhabités où chacun peut acquérir une propriété à un prix qui n'a aucun rapport avec les terres d'Europe: vous connoissez la nouveauté du pays, point de capitaux, et beaucoup d'ardeur pour faire fortune; point de manufactures, parceque la main-d'œuvre y est et y sera encore long-temps trop chère. Combinez tout cela, et vous savez l'Amerique mieux que la majorité des voyageurs, y compris M. de L.——— qui est ici faisant des notes, demandant des pièces, ecrivant des observations, et plus questionneur milles fois que le voyageur inquisitif dont parle Sterne."*

* Memoires de Madame de Genlis, t. 5. p. 55.

When certain persons, therefore, affirm to us, that the experiment of the ballot has been unsuccessful in the United States, our reply is, that we do not believe them. Why do we not believe them? Because, when we weigh the evidence which is contained in their assertions, and the evidence in opposition to them, we find the latter to preponderate. In the first place, with regard to the assertions, we know not how far those who make them do themselves rely upon them. House of Commons' morality does not imply the existence of many men who will keep back an assertion, useful for their purpose, because they know little or nothing about the evidence on which it rests. In the next place, if we knew that they were sincere, we know not what sort of observers they are; but we do know that few observers are to be trusted. We know not from what circumstances they have deduced their inference; or, if they rest their assertions upon the declarations of other people, from what sort of people they received them. Any man, who pleases, may resort to a pretty certain test of the value which ought to be attached to what ordinary people deliver about the condition of a country. Let him but ask himself this question. To how many, of all the men he knows, would he confide the task of giving an account, on which he would rely, of the country in which they were born and bred? Of the uncertainty of men's observations, even when confined to a single point, the controversies of every day afford the most glaring evidence. Can we find a better example than that which we have all had recently before us? The people of England have been divided into two parties, about the distresses of the country. One would imagine that this was not one of those circumstances which it required eyes of an extraordinary keenness to discern. Yet if you asked a man of one of those parties, whether the country was in distress, he would affirm it; if you asked a man of the other, he would deny it; and both with equal confidence. Upon the experience of which are you to rely? Of neither; because the bulk of the persons who form opinions upon such subjects are led to them by partial observations. Men judge of an object by the things in it to which they direct their attention. A strong bias of the mind directs the attention to that part of the circumstances to which the bias inclines; and upon that part exclusively the opinions of ordinary men are formed.

What trifling, then, is it, to go to uncertain testimony, of which we know only that it is of no value, when the great circumstances of the case, decisive of the question, are perfectly known to us? We know well what secret voting is; and we know that it may be rendered a complete security against

external influence, in voting for members of parliament. If the Americans did use it badly, that would be no argument against the thing itself. The Americans have little motive to the accurate use of it, because, by two circumstances in their situation, the general wealth of the people, and the great rarity of large fortunes, the means are wanting of placing more than an insignificant portion of them in dependence. There would be no wonder, then, if the Americans were not very nice about the machinery of the ballot, and cared but little whether it was so used as to work with much, or with little accuracy. Their case and ours are in this respect diametrically opposite; they do not depend upon the ballot for independent voting, we cannot possibly obtain it by any other means.

But beside all this, we know upon better evidence than the assertions made in parliament, that the Americans do esteem the ballot. It is evidence enough that they continue to use it. Why should they, unless they liked it? The Americans are not in our miserable condition. They cannot have institutions, under which they suffer, fastened upon them for ages in spite of their inclinations. What, then, is the fact? So far from being diminished, the use of the ballot has been continually extended in America. Some of the States, in which, originally, it was not employed, have, upon the revision of their constitutions, introduced it; and in not one, in which it has ever been used, has the thought been entertained of discontinuing it. Nothing can be more worthless, therefore, than the pretence that America affords experience against the benefit of secret voting.

Of all the assertions, however, adventured in parliament, to oppose the argument for the ballot, there is certainly not one, the audacity of which is more worthy of our admiration, than what we are next to mention;—that secret voting has no tendency to ensure independent voting. This is an infallible test of character. We strongly recommend the use of it, in the case of public men, to all who desire to understand them. We may be perfectly certain, that the man who makes this assertion will make any other assertion whatsoever, if he believes it useful to his purpose; that twice two, for example, make not four, but four hundred. Take either supposition, that he does not see the truth, or that he sees it and belies it. You, probably, will not affirm, that the man who sees the truth and belies it, in one instance, because it suits his purpose, will not, when it suits his purpose, do so again. And, if any man's intellect be in such a state that he cannot perceive the connection between secret voting and independent voting, either from its native weakness, or its readiness to be blinded by the feeling of interest, we really see

no security against a similar effect from similar causes, in the case of a simple arithmetical proposition.

What we have already said upon this subject contains all the evidence necessary to determine the question. An independent vote is a vote, given in such circumstances, that good or evil, at the will of another, does not depend upon the manner of giving it. A man votes as he pleases, when nothing good is to come to him from his voting in one way, nothing evil from his voting in another. Such, necessarily, is the effect of voting in secrecy. If a man promises, or gives, a bribe to another who votes in secret, he clearly sees what he purchases; he gives his money for a certain chance that the man will vote for him; to the man who votes, the case is the same, whether he votes the one way or the other. The man who would inflict evil for a vote given against him, cannot inflict evil for its being given against him, when he cannot know but it was given for him. In these circumstances, the independence of the vote is complete, and we have already seen, that upon independent voting all the blessings of good government, and deliverance from all the unspeakable evils of bad government, inseparably depend.

It is of no consequence to tell us of certain combinations of circumstances, in which the happy and natural effect of secret voting would be eluded. We know them. We know also that under the present distribution of the suffrage in England, there are cases in which the secrecy would have no effect. Take Old Sarum for an example. Wherever the electors are so few, that good can be extended to the whole body, if the result is in one way, evil if it is in another, independence may be prevented in spite of secrecy. But these cases are a very insignificant proportion. In all counties, and in most boroughs, no such power can be pretended. Wherever the voters consist of thousands, or even of a good many hundreds, a sum to each sufficiently large to secure their votes, would exceed the share of the national plunder which any individual could hope to attain; and the power of evil over larger numbers is more limited still. No man can afford to turn out the numerous tenants, either of his lands or his houses, without a serious calamity to himself.

This being the nature of the case, as all men cannot but see, those of our representatives who tell us, that bribery and intimidation would just as much prevail under secret as open voting, must be prepared to affirm, that Englishmen will choose to be slaves, when they may be free; that they will choose to send men to parliament, who will perpetuate the evils of misrule, rather than men who would remove them; even when they can derive no advantage individually from sending the first sort, nor

evil individually from sending the latter. They who can believe this, if any such there be, and they who pretend to believe it, are clearly beyond the reach of argument.

A certain set of cases, however, are held forth to countenance this monstrous pretension; which are so far from being cases in point, that they are mere examples of a gross abuse,—the employment of secrecy in circumstances in which it is a protection, not to pure, but to impure voting. This is a point, upon the elucidation of which a few words will be not ill-bestowed; as it is one of the principal sources of obscurity, and hence of sophistry, on the subject of the ballot. There are two sets of circumstances in which votes are given. These two sets of circumstances are so very different in their nature, that in the one of them open voting always tends to good, secret voting tends to evil; in the other secret voting alone tends to good, open voting tends to evil. These two sets of circumstances were not very difficult to discover, and yet we do not know that they were ever distinctly pointed out, till Mr. Mill found the explanation necessary in his History of British India.*

There is one set of circumstances in which, if men voted free from external influence, they would vote well; another set of circumstances in which, if they voted free from external influence, they would vote ill. We see that in one of the most recent discussions on the subject of the ballot in parliament, Sir Robert Peel tried the effect of a sophism which rested on the confounding these two sets of circumstances together. He brought forward a case of the ill-effect of the ballot in that set of circumstances in which its tendency is to produce evil, whence to infer that it could produce none but ill effects in that set of cases in which its tendency is to produce good. He adduced an instance of the corrupt use of secret voting, by members of parliament in the business of parliament, in order to prove that electors would make a bad use of it in choosing the representatives of the nation.

He was ignorant, so we are willing to believe, that the circumstances of the two cases were not only not the same, but diametrically opposite. In the case of members of parliament in the business of parliament there is no security for good voting without the publicity of the voting. In the case of electors voting for representatives the only security for good voting is the secrecy of the voting.

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* The distinction has been subsequently presented to view in an admirable pamphlet, entitled "Statement of the Question of Parliamentary Reform," and published by Baldwin, Cradock, and Co. in 1821.

The difference in the two cases is constituted by the difference of the interests. In the one case, the voter has an interest in bad voting, and will vote ill, if he is not prevented. In the other case, the voter has an interest in voting well, and will vote well, if he is not prevented. The member of parliament, who has an interest in abusing, for his own advantage, the powers of government intrusted to him, needs to be restrained. Restraint is found in the power of publicity. The electors, who have an interest in good representatives, need to be saved from the influence of men, who, if returned under that influence, would not be good. They can be saved by secrecy.

To express the circumstances generally; we say, that in that set of circumstances, in which the voter's own interest would lead him to vote well, but other men are likely to create an interest for him which would lead him to vote ill, the vote should be given in secret: in that set of cases, in which the voter's own interest would lead him to vote ill, but public opinion would act upon him as an inducement to vote well, the vote should be given in public. The effect of secrecy in the two cases is perfectly contrary. In the one case it is protection for the operation of the sinister interest; in the other it is protection against it. In the one case it is the safeguard of the public interest; in the other it is the removal of that safeguard.

To maintain the pretence, that perfect secrecy in voting for members of parliament would not annul the power of influencing the vote, by annexing the prospect either of the matter of good to the giving it in one way, or the matter of evil to the giving it in another; it must be affirmed, in the one case, that the man who has received a bribe, or the promise of one, will vote contrary to his inclination, though the receipt of the bribe cannot in the least degree be affected by his voting according to his inclination; that is to say, he will vote against his inclination totally without a motive, which is a moral impossibility: And in all other, it must be affirmed, that the man who is threatened with evil, if he votes in a particular way, will vote against his inclination, though he knows that he is not in the smallest degree more likely to suffer the evil if he votes according to his inclination; that is to say, he will vote contrary to his inclination totally without a motive, which is the same moral impossibility as before. No *reductio ad absurdum* is more perfect than this.

The last resource, therefore, of these controvertists is, to deny the possibility of secrecy. How do they make that out? They do not make it out at all. They make out nothing; nor try to do so. That is not their way. They assert; sometimes more nakedly, sometimes more covertly, but still only assert. Please,

then, to inform us in what way the secrecy is to be violated; for if it be to be violated, there must be some mode of doing it.

Voters will shew in what way they vote.

Your word *shew* has a double meaning; and is here employed in your usual, that is, equivocating way. It means either seeing or hearing. If you say, that the voter will let it be seen how he votes, we can take perfect security against that. If you say that the man would tell how he votes; we answer, that the man may do so, as much as he pleases; but the secrecy of the vote will be just as perfect as ever; since it must for ever be a secret whether or not he speaks the truth. At any rate the man who proclaims the knavery of giving a prostitute vote, cannot be depended upon for speaking the truth.

We affirm, then, and upon ground which seems impregnable; 1st. that voting may be rendered perfectly secret; 2nd. that secret voting is a perfect security for independent voting; 3rd. that without independent voting all hope of good government is vain; and 4th, that in England there cannot be independent voting without secret voting. If so, we have a pretty complete argument for the ballot.

The language which is held by the enemies of the ballot is wonderful in almost every part of it; but we do not think there is any thing in it, which excites an odder mixture of feelings, in the intelligent mind, than what they say about the high moral consequences of the tumult and uproar of an election. The excitement, they tell us, produced in the people, by such proceedings, is of an admirable tendency. Their minds are thereby filled with the principles of virtue. Tumultuous elections are a kind of school, a *gymnasium*, for the training of patriots.

In the various pretexts which are made use of to decry secret voting, that indispensable foundation of a good representative system, in all countries in which the mass of the people are not in circumstances which place them above dependence; there is nothing which more deserves our attention than the *animus* displayed by them; the peculiar combination of intellectual and moral qualities, which alone seems competent to usher them into the world.

If what is thus affirmed were true, or if the men who affirm it believe it to be true, we should see them endeavouring to turn this admirable instrument of virtue to the greatest account. Every quiet election would, upon this principle, be an evil; it would defraud the country of so much virtue. Every close borough would not only be a blot in the constitution, but a principle of immorality; a cause why the standard of virtue, in the breasts of Englishmen, is so low as it is. Every compromise

in a county, by which, for avoiding of contests, a whig member and a tory member step quietly in, would, in truth, be a flagitious conspiracy against the virtue of the country. If the men who are parties to such compromise should defend it, as they commonly do, by saying that it preserves the peace of the county; that it avoids the excitement of hostile affections, which render men bad neighbours, bad relations, bad landlords, bad tenants, bad magistrates, bad masters, and bad servants; that it saves from those scenes of profligacy, that intemperance, that ferocity, that falsehood, that perjury, that prostitution, that open contempt of all moral ties, which are the grand features of a contested election; if, we say, the men who find all these advantages in what they call the peace of the county, are the very men who tell us the ballot ought to be rejected, because it tends to prevent the golden virtues which are generated by a contested election,—they will not, at any rate, we hope, pretend to be consistent. If contested and exciting elections were thus efficacious in elevating the standard of public morality, the opulent men of the nation ought to have no object nearer their hearts, than to take effectual measures for preventing any election from ever being peaceable. This would be one of the highest services they could render to their country. Nor is this all. If contested, and exciting elections, made to be universal in the country, by the virtue of our opulent men, would produce so much virtue in the people, occurring, as they do, but once in seven years; how much higher would our virtue be raised, if we had the benefit of them every year? There are other elections, too, in the country, beside the elections for members of parliament. They ought undoubtedly all of them to be made to contain as much as possible of that which, in elections for members of parliament, is found to be the cause of such admirable effects; namely, their tumultuousness. All parish vestries ought to be open vestries. Yet here again we have occasion to deplore the little care of their consistency which is taken by our public men. There is nothing which they are more attached to than select vestries; which attachment has misled them so far, notwithstanding their love of tumultuous elections, that they have made the House of Commons the perfect model of a select vestry. The same thing nearly may be said, of all elections of magistrates in corporate towns. These elections please our public men, in proportion as they are on the plan of a select vestry. Yet of how much virtue is the nation thus deprived, which would be surely generated in it, according to the same theory of our public men, if all these elections were tumultuous? We cannot avoid carrying our views even farther. There are

various states and conditions, to which men are raised by various incidents, most improperly, if the process of tumultuous elections are so salutary upon the public mind. The appointment of clergymen, for example, not only for parochial duties, but to all the dignities, and all the riches, which some of them enjoy, ought to be made in the way which is most conducive to virtue. The peerage, so great a prize, ought assuredly not to be thrown away, by depending either upon individual choice, or the accident of birth, if so much benefit might be derived from it, in making it depend upon a tumultuous election. Nay the sovereignty itself ought to be elective, since, if the virtue generated by the small contest for a member of parliament be an object of any value, that generated by a choice of such ineffable importance to the nation, would be of infinitely greater value.

So much for the *argumentum ad hominem;* which, in this particular case, all discerning men will see to be of much more importance, than that sort of argument generally is. The intrinsic merits of the question are immediately seen, by a recurrence to the actual business done. There are two parties at an election; one, that of those who give prostitute votes; the other, that of those who suborn them. It is of no use to tell us that there are honest votes at elections; there might be more than any body will pretend there are, without affecting the truth of our description. The honest votes, taking the country as a whole, are a miserable exception. Now, then, draw the consequence. A scene got up for the most deeply immoral and degrading of all human purposes, for the perpetration of a great act of treachery to the nation, for delivering it into the hands of a small number of men, interested in all the abuses of misrule, contrary to the most solemn of all engagements, in the midst of fraud, perjury, and every other abomination, there are men who tell us is a scene, in which Englishmen have to learn their public virtue, and of which, from consideration of their virtues, it would be most dangerous to deprive them.—Those virtues in them, which fit them for the purposes of their suborners, they do learn there in great perfection. That is a truth beyond all dispute. No wonder the school should have patrons, in a class of men so deeply interested in its success.

One objection still remains, which, though we shall be able to shew that it rests entirely on misapprehension, we regard with far more respect than any of those which we have previously noticed; because the point of morality to which it refers is of the utmost importance, and because we know that it affects the minds of some men, who, on account both of their intellectual and moral qualities, are entitled to our highest esteem. These

men say, that secret voting, to make it answer its end, supposes mendacity. The man who is bribed, promises to vote one way, and actually votes another. The man who may be turned out of his house, or his farm, or suffer any other evil, votes one way, while he says that he votes another. This violation of truth, they say, is so odious, that it renders odious and ineligible whatever is necessarily combined with it.

This objection requires the more words to shew the nature of it truly, because the evil which it points at is all upon the surface, and is easily seen; the evil which is prevented lies deep, and can only be seen by an attentive observer.—Of two evils choose the least,—is, nevertheless, the proper rule, in this, as in every other case of human deliberation.

Of so much importance is it to mankind, that they should be able to confide in what is said to them by one another, that no violation of the truth which would affect that end, can be justified.

There are circumstances, however, in which another man is not entitled to the truth; and these circumstances create a radical distinction. The cases in which men are not entitled to the truth constitute a class by themselves; subject to rules altogether different from the class of cases in which they are entitled to the truth.

Men are not entitled to the truth, when they would make a bad use of it. This is a maxim sanctioned by the moral judgment and the practice of all ages and nations. When men withhold the truth from such parties, they in fact do not violate the rule of veracity; they neither feel conscious of any guilt in themselves, nor is any ever imputed to them by others. The rule of veracity does not consist in giving information to a villain which he will employ in forwarding his villainous ends. Wrong information, for the prevention of evil, and, in certain circumstances, for the promotion of good, has rarely been classed among forbidden means by any set of men, civilized or barbarian. Who that saw a fellow-creature hiding himself from his intruding murderer, but would say to the ruffian whatever was most likely to mislead him in his pursuit? Instances might be multiplied without end. Take one of an ordinary sort. The Physician is not blamed, he does not consider himself as violating the sacred rule of veracity, when he assures his patient that he is in no danger, though he knows him to be in the greatest.

In no instance is wrong information conducive to the prevention of evil of such magnitude, as when it is conducive to the prevention of misrule. In no instance is any man less entitled to

right information, than when he would employ it for the perpetration of misrule. If in every conceivable instance wrong information is not to be considered a violation of the rule of veracity, not a breach of morality, but on the contrary a meritorious act, it is when it is necessary to defeat such a purpose as this.

Among the gross inconsistencies which crowd the minds of Englishmen, one of the most remarkable is that which exists between the abhorrence of the ballot, on account of the supposed mendacity connected with it, and the habitual conduct of the men who express that abhorrence. The same mendacity, exactly, if they persist in calling it mendacity, which a voter may use to baffle his corrupter, they themselves practise every day from the slightest motives. Every time they write "obedient, humble servant," at the bottom of a letter, they tell a lie, if lie it must be called, of the very same description. Every time they direct a servant to say at their door to the people who want them, that they are not at home, when they are at home, they not only lie themselves, but in this instance have no scruple at all in making another person lie, notwithstanding the intolerable pollution they ascribe to it in the case of the ballot. It surely is not necessary for us to go on shewing how much of the whole business of life, in this purest of countries, is carried on by lying, if words and actions conveying false information deserve this opprobrious name. Let us look to more solemn occasions. The law hardly does any thing but by means of a lie; witness the writs which give commencement to a suit; and witness, to go no farther, pleadings of almost all descriptions. Not only breaches of veracity, but breaches of oath, are committed with the utmost indifference. How common is it, for jurors on their oaths, to declare an article worth but a few shillings, which they know to be worth, perhaps, ten times as many pounds, only that they may not subject a criminal to a greater punishment than he deserves; how necessarily does the law requiring unanimity in juries, compel a part of the jury in almost all doubtful cases to perjure themselves? We need but allude to the daily use of fiscal oaths, and theological oaths, to be reminded of the perfect callousness with which false swearing is practised and regarded. Nay, remarkable as it must be esteemed, we on no occasion lie more grossly, and habitually, than in our devotions; in our addresses to God himself, at the very time that we are professing with our lips that we believe him omniscient, and acquainted with our innermost thoughts. Do we not hear people daily telling God in their prayers that they renounce the pomps and vanities of the world, when we know their hearts are filled

with nothing else? Does not every man who repeats the prayer, called the Lord's, tell the Deity, that he wishes "not to be led into temptation?" And do we not know many such men devoting all their thoughts to the accumulating of riches, or the acquisition of worldly grandeur, which the scripture tells them are the greatest of temptations; since it is easier for a camel to go through the eye of a needle than for a rich man to enter into the Kingdom of heaven?—Need we go on?—Surely not.

And yet have we men, who, after seeing to how great a degree the whole tissue of our lives is formed of lying, and after being themselves inured to it, profess so violent a hatred of the falsehood accidental to a vote rendered independent by secrecy, as to account the independence, and all the inestimable benefits which flow from it, less than an equivalent? We should have accounted this one of the most perfect of all possible specimens of Tartuffizing, if we did not know that there are valuable men, who have formed with the false information, which may occasionally be necessary to obtain the independence of which secrecy is the means such an association of ideas, as they do unhappily mistake for moral disapprobation.

But beside the proof we have given, that the wrong information incidental to the ballot belongs not to the class of cases in which the moral rule of veracity is concerned; beside the certainty of the rule, that the least of two evils is to be chosen; and the perfect proof by the practice of Englishmen, that in innumerable instances they regard the use of falsehood as little or no evil, while bad government is acknowledged to be the worst of all evils; beside all this, we have still to observe that the objection assumes what is not true. It assumes that every vote which would be suborned, if openly given, would be attended with mendacity if given secretly.

First observe, that if this were so, the cases, in respect of mendacity, would only be equal. Every suborned vote is by the supposition a mendacious vote. What ground then is there for any preference on the score of veracity; and what ground is there not for preference on the score of national good? This objection, drawn from the love of veracity, is thus clearly seen to be utterly wórthless.

Such, however, is the admirable working of the ballot, that it would preclude the occasion for mendacity in many, in probably a great majority of instances, from the beginning; and in the end would utterly abolish it. If men never continue to do any thing in vain, men will not seek promises from others, in circumstances in which the promise is of no use to them.

Where there is no promising at all, there can be no false promising. The ballot, therefore, is really the means of delivering votes from mendacity. One of the arguments in favour of secret voting springs from the very source, from which this mistaken objection is drawn.

Suppose a man to go about, asking promises from electors who vote in secret. He obtains them, of course, from all the men, from whom he would have obtained a prostitute vote in the case of publicity. An act of mendacity is necessary in either case, whether the promise is kept or broken. But of two lies, equal to a man in other respects, he may pretty surely be expected to prefer that which favours his own inclinations. The promise, therefore, is to the man who exacts it no security for the attainment of his object. It is obviously the reverse, if the attempt to impose an odious chain be felt as an injury by the man who is sought to be degraded. Every man from whom a promise is exacted to vote in one way, has received a new motive to vote in the opposite way, by this badge of slavery nefariously fastened upon him. It is abundantly certain, that the exaction of promises,—in these circumstances more than useless,—would soon be abandoned, and voting would be as pure of falsehood as it would be of dependence.

Nor would this be the only moral effect of secret voting; it would have others of the greatest extent, and importance. This, undoubtedly, is one of the most interesting points of view in which the subject can be considered. Take away from the men of property the power of obtaining the suffrages of the people by improper means, and you may deem it certain that they will immediately apply themselves to the obtaining them by proper means.

It is impossible not to be delighted with the idea of the consequences which would result from such a change. Whereas, at present, the traffic which takes place between the parties who give and the parties who obtain votes, corrupts them both; the intercourse between them, in the other case which we have supposed, would operate most powerfully to their mutual improvement.

The evidence of this we think is incontestible. The moment it was seen that the people gave their suffrages only to those whom they regarded as best endowed with the qualities which fit men for the duties of legislation, the men of property would exert themselves to attain and to display those qualities. They would then have a motive for their attainment, of which at present they are nearly destitute. Stores of knowledge, habits of mental application, of self-denial, of preferring the public in-

terest to the private interest, whenever there is incompatibility between them, are not easily acquired; and never will be acquired (bating remarkable exceptions) by those who have not a strong motive to acquire them.

We think, that putting the elective suffrage on a proper footing would afford that motive to the men of property in England. Men of property love distinction; but the distinction of property, where it is not connected with political power, or strongly associated with the idea of it, is insignificant. The great desire of men of property, therefore, always will be for the distinction connected with public services. But, if they had an adequate motive for the acquisition, in a superior degree, of the high mental qualities, which fit men for the discharge of public duties, it cannot be doubted that they have great, and peculiar advantages, for the accomplishment of their purpose. Other men, even those who are not confined to mechanical drudgery, are under the necessity of employing the greater part of their lives, in earning the means either of subsistence or independence. The men who are born to a property which places them above such necessity, can employ the whole of their lives in acquiring the knowledge, the talents, and the virtues, which would entitle them to the confidence of their fellow citizens. With equal motive, and superior advantages, they would, of course, in general, have superior success. They would be the foremost men in the country, and so they would be esteemed.

Δεῖ, says Plato, (Πολιτ. Γ.) speaking after Phocyllides, *ὅταν τῳ ἤδη βιος ᾖ, ἀρετὴν ἀσκεῖν.* "A man has peculiar advantages for attaining the highest excellence of his nature, when he is above the necessity of labouring for the means of subsistence."

The man who is placed in these circumstances, has not only the whole of his time to bestow, in early life, upon the acquisitions which fit him for the business of legislation and government; he alone, and not the man without fortune, who is still engaged in other pursuits, can bestow his time and attention, undivided, upon the public services with which he is intrusted. Our opinion, therefore, is, that the business of government is properly the business of the rich; and that they will always obtain it, either by bad means, or good. Upon this every thing depends. If they obtain it by bad means, the government is bad. If they obtain it by good means, the government is sure to be good. The only good means of obtaining it are, the free suffrage of the people.

Radical Reformers are commonly stigmatized in the lump; and, as names of peculiar opprobrium among the suborners of votes, they are called Democrats, and Republicans. We see

not why either of these names, unless misconstrued, should be dishonourable. For our parts, however, we are Aristocrats. We think it best, that government should be placed in the hands of the Αριστοι; not only in the sense of the Greeks, who understood by that term the Βελτιστοι; but in that of the moderns, who understand by it only the Rich. We only desire that it be placed in the hands of the rich upon such terms as will make them the Αριστοι and Βελτιστοι. Whoever are the Αριστοι and Βελτιστοι, we desire to be governed by them; and, with the suffrage upon a proper footing, we have no doubt that they would be the Rich.

If the effect of placing the suffrage upon a proper footing would be thus salutary, with regard to the intellectual and moral qualities of the rich; let us inquire next what it would be in regard to the rest of the community.

We have seen that, while votes are liable to be suborned, and while the rich obtain their purpose with the people by corrupting them, they do corrupt them. The consequence is inevitable; and neither the insensibility to moral evil which habit produces, nor all the refinements of modern disguise, can hinder any fair observer from understanding the Tragi-comedy of which we are the spectators.

But, if the business of the rich is to corrupt the people, when they can obtain their purpose by corrupting them, it will no less certainly be their endeavour to improve them, if you render it impossible for them to obtain their purpose with the people by any other means than improving them.

Who will deny that this would be the consequence of placing the suffrage upon a proper foundation? When the people are under no inducement to choose representatives from any other consideration than that of their fitness, it becomes immediately the interest of the rich, that none but the fittest should be chosen. Whenever the benefits of misrule are taken out of the hands of the rich, the rich have then the strongest interest in good government. Good government, however, nothing but the good choice of the people can procure.

But the more wise and the more virtuous the people can be rendered, the goodness of their choice is rendered the more certain. It becomes, immediately, therefore, the interest of the rich, to employ their endeavours to raise the intellects and morals of the people to the highest pitch; that no artifice may be able to deceive, or interest to seduce them, either in regard to what is best to be done for their country, or the men who are fittest to promote it.

But, if the men of power and influence in the country, along

with sufficient motives to take the utmost pains with their own intellects and morals, had the like motives to take pains with the intellects and morals of the people; to do whatever could be done for rendering their early education perfect; to take the utmost care of their morals through life, by a correct use of their approbation and disapprobation, as well as their power of giving and withholding good; to watch over the instruction given to them; to take them out of the hands of those who have an interest in giving them wrong opinions, to use the press with skill and activity, for the producing all sorts of salutary impressions, and obviating every impression of a different kind; what delightful consequences would ensue? We should then have a community, through which wisdom and virtue would be universally diffused; and of which the different classes would be knit together by the ties of mutual benefaction. In those circumstances, the order and harmony of society would be perfect. The business of government would be carried on with the utmost simplicity, because purely for the good of all. Every individual would exert himself in his sphere to provide for his own wants, and have wherewithal to benefit others; and few men would be destitute of that prudence and energy which would place, and keep him, in that situation.

Nor in all this is there one Utopian idea. There is not a consequence here anticipated, which does not flow from the principles of human nature, as necessarily as the actual effects, so woefully different, which we now experience. All that is necessary is, so to alter the position of the leading classes with respect to the rest of the community, that they may have an interest in the wisdom and virtue both of themselves and others. It is not more extraordinary, than true, that this is to be accomplished, and all its admirable consequences may be insured, by placing the Suffrage for Representatives on a proper foundation.

The evidence of all this is so clear and irrefragable, that it ought to obtain attention. The time is coming when it will obtain all the attention which it deserves. At present we believe it has little chance.

Art. II.—*Carwell; or, Crime and Sorrow.* Colburn and Bentley. 1 vol. post 8vo. 1830.

THERE is a point at which the sympathy excited by an affecting story becomes absolutely painful. A perusal of this Tale will inform the sensitive reader whereabout it lies. If it be a purifying exercise of the feelings, as the ancients thought,

to enter into the fictitious woe of the poet's creatures even to a pitch of anguish, a strong course of Carwell may be recommended to all corrupt natures: it will be found the true sarsaparilla of the *Materia Poetica.* It is sad, desperately sad, and unfortunately very like the truth; not the truth meant by 'founded on fact,' which we see inscribed on the title-page of some novels —but the truth founded upon a large experience of the chances and changes of life. The complexion of the Tale is of the dull colour of Newgate, the new drop brings about the denouement, and the 'plains of flowing asphodel' that spread themselves in the bosom of the Polynesian seas, form the Eden of the wandering spirit, whose unhappy doom is here recorded. The heroine is hanged, and the hero transported! The law could not have picked out two worthier people for an example. It is true that they were both guilty of uttering forged notes, but Carwell, worthy soul! did it out of complaisance to his friends, and she out of pure love for her husband. It is not a mere invention of the authoress that the wife commits a crime, in order to join her husband on the coast of Australasia, opposite to that on which the new colony of Swan River is founded. We have it on good authority, that this step has been taken more than once, and succeeded. Mrs. Carwell, however, makes an error in her calculations, and is left for execution. With the authoress's leave, however, it is she and not Mrs. Carwell, who commits the blunder. In uttering a forged note, Mrs. C. knew well that the offence was not visited with death; and as we have scarcely any thing else to find fault with, we must pick a hole in the accomplished writer's law. In her power of touching the heart by the beautiful picture of a wife's affection triumphing over every species of trial, enduring and rejoicing in the midst of circumstances which would have alienated all other friends, and most wives, she is much more correct than in her notions of the criminal code. There is something consolatory in the idea that even the felon has a sacred circle, within which the laws of society cannot penetrate; no man, however bad, is thought so by his family; either he is kind to them and they cannot look harshly on his crime, or they do not believe he is guilty. His misfortunes as they call them, which make him an object of horror to others, only draw the bonds of blood more strictly. This is right, the man is lord of his community: he is amenable to society for his deeds, but his family are answerable to him round the patriarchal hearth. The curious memoirs of James Hardy Vaux, who is now running a new career somewhere near the Antipodes, show a singular picture of this kind, carried however a good deal too far. To listen to Vaux it might be supposed

that he and his wife were the most virtuous couple in the world. They are full of affection for each other in prosperity, or sympathy in distress. Their *menage* is exemplary: when they go out a shopping, the expedition is spoken of with the coolness that an ordinary person would talk of the most innocent of promenades, and when the lady is the adroitest of the two, the admiration of the husband is unfeigned; their little plunder is carefully disposed of, the couple return to a comfortable fire-side, with the satisfaction of having provided for their family. This partnership in crime is, however, far from being similar to the unhappy circumstances of Carwell and his wife: she loves her husband in spite of poverty and crime, she will not look at him with the eyes of society, he is to her good and affectionate, and she will insist upon regarding solely the relationship between them; but she retains her own innocence, she is pure in thought and deed, until her very love causes her to commit an act of crime, for the purpose of being sent to join him in his place of transportation.

It may be seen that the history of an affection existing under such circumstances, is a very delicate task. The authoress has succeeded in keeping down every thing that might shock or disgust the most sensitive ear. We forget the degrading situation into which bad connections and too great a facility of character have plunged the hero, and only remember him as his wife always saw him, kind, open, and generous. In the midst, in short, of crime and sorrow, of which the Tale is overflowing, we are alive only to the beauty of love and truth. To the pure all things are pure; there are those who can handle pitch and not be defiled.

Without anticipating the details of the story, and thus forestalling the pleasure of curiosity to the reader, it will be but justice to the authoress to give a specimen of her power of managing an incident of an affecting nature. A wife returns to her home with a heart yearning with affection for a kind husband, and finding all deserted and melancholy, learns at length that the officers of justice have been there, and that he is apprehended on a charge of forgery, and already lodged in gaol.

'I was surprised to see that our street-door was open; and, upon entering, observed an unusual air of disorder and confusion. The parlour-door was also open, the fire extinguished, the table-drawers drawn out and placed upon the tables, and the carpet ruffled. Some written papers were dispersed on the floor; the chairs were placed in different directions, and the marks of muddy shoes were obvious. I concluded that our usual visitors had been there.

'But why had their visit been so early, that they had parted before the accustomed hour of meeting? I called the maid—there was no reply. In the kitchen, also, the fire was extinguished. Carwell,

Parkhurst, Mrs. Lyle, all were absent. Though I had frequently been entirely alone for many hours, there was something particularly dispiriting in the forsaken look of the house, which at the same time proved that it had so lately been occupied. In spite of my fatigue, I restored order, and prepared my solitary tea, though not without a hope that Carwell would join me before it should be drunk. The blazing fire (which is almost a companion to the lonely) restored my spirits, and after an hour or two I felt quite recovered.

'The evening passed; and at midnight, finding none of our inmates return, I prepared some supper for Carwell, and having lighted a candle, retired to rest. He had for some time been in the habit of letting himself into the house by a key he carried with him; I therefore resigned myself to sleep, though not without vexation at the conduct of our only domestic in thus prolonging her absence.

'My astonishment on arising the next morning, and finding every thing as I had placed it over night, was very soon mingled with great uneasiness. I was still alone! Carwell had scarcely ever passed twenty-four hours at once away from home. Something must have happened; but of what nature? Mrs. Lyle was also absent: Parkhurst's and the servant's rooms were unoccupied. The one same circumstance, whatever it might be, was very unlikely to influence the conduct of the whole family, whose pursuits and engagements were apparently different. Was it possible Mrs. Lyle had induced Carwell to leave me? Had Parkhurst and he been consequently excited to dissension? and what might have been the result?

'These heart-breaking doubts weighed heavily on my mind, though I could hardly resolve to own to myself that I had admitted them. My suspicions concerning Mrs. Lyle had rarely returned since I had observed Carwell's earnest solicitude and jealousy regarding my conduct, and perhaps would not have recurred now, had my situation been less singular.

'When I reconsidered the matter, it was more probable that Parkhurst had suddenly learned Mrs. Lyle's infidelity, and that his distress in consequence had obliged Carwell to remain with him. But Parkhurst's attachment did not appear of a nature to distress him deeply under such circumstances, and I had often observed that he must long since have entertained suspicions very little short of conviction. Alas! every cause of their absence but that which really existed suggested itself to me.

'The truth, the woeful truth, was soon revealed! After vainly considering whether there was not some one whose advice I might ask, whose judgment might direct me; the certainty, that except Carwell, and the strange companions with whom he had linked himself, the whole universe was unknown to me, impressed me with a feeling of despondence that drew forth floods of bitter tears.

'A solitary and fearful step ascending the stairs, and frequently pausing, at length raised the hope of my husband's return: I hastily dried my tears, and blushed for my past terror, which now appeared most childish to my eyes; I flew to meet him, but the person who had

entered quickly endeavoured to retreat, apparently alarmed at the sound of my tread.

'My eager pursuit was, however, successful; I found it was our maid. Instead of the excuses her conduct seemed to require, she seemed amazed at seeing me, and expressed surprise at finding me still there. When I began some reproof, "Surely, Madam, you do not know what has happened? Ah, Ma'am—when you were out, my master——"

'It was my turn to gaze in terror and astonishment; I besought an explanation.

'"You don't know then, Ma'am, that my master is taken up for forgery?"

'For some minutes I stood unable to believe that I had really heard those appalling words. At length she told me, that soon after my departure from home, the Jew, Balthasar Levi, had entered and sat some time with my unhappy Carwell; Parkhurst, Hargood, and Dunning were also there. While they were engaged in conversation, a ringing at the door called her down: when she opened it, three men rushed forward into the parlour. The alarm was general; all endeavoured to escape except Carwell. The only persons who succeeded in doing so were Hargood and Parkhurst.

'The officers searched every part of the house for notes,—she could not tell with what success, as, after they had searched her, she had departed, and had not ventured to return until the moment of our meeting, when she had come to carry off her clothes. I listened to this appalling information with a sick feeling of horror, which deprived me of the power of utterance. A few months back my confidence in Carwell's character would have led me boldly to aver and trust in his innocence; but now, the recollection of a thousand trifling circumstances, in spite of my wishes, obliged me to dread the justice of the accusation.

'"Oh, then," I exclaimed, in the bitterness and despair of my soul, "is it possible! the sense of integrity is lost to that kind and feeling heart! the pride and confidence that cannot abide with remorse—the vague hope and expectation from the future, which is the portion of those to whom the past offers no self-reproach, must never more be the lot of Carwell. If his misconduct does not endanger his safety—still, to obtain even momentary peace, even amidst years spent in the stainless fulfilment of every duty, the *past* must be absent from his mind! self-esteem he must never more know! And how will he bear his deserved abasement?"

'Having learned from the girl whither the officers of justice had taken Carwell, I hastened to him. The difficulties of obtaining admission were rendered more formidable by the contemptuous familiarity of those who profit by the sorrows of their captives.

'At length I reached the dreary chamber in which he was confined. Knowing how much my sorrow would add to his, I made an effort to suppress the sensations his situation called forth, and in some measure succeeded.

'"Charlotte," he exclaimed, "you know all—the worst!—I en-

deavoured to spare you the knowledge of my guilt and my disgrace, and I have often seen with pain that the means I took were the cause of another affliction. You sometimes thought my reserve proceeded from estrangement and want of confidence. Will it not be a harder trial to learn that your only friend and protector is—a felon?"

'"Oh, Carwell! think no more of the past; by whatever means you were betrayed into acts so foreign to your nature—you repent them, I know you do; if we escape the present danger, your future life will be what it always would have been but for—"

'"No, interrupted my husband; "I must not deceive myself. Whatever my companions may be, and whatever reprehension they may deserve, more principle, more firmness on my part, would long since have freed me from the participation of their fraudful secret, from their ruin, disgrace, and, perhaps, from their—punishment." At the last word he hesitated; I saw he feared to suggest an idea, the horror of which I might not be able to sustain.

'I felt the blood curdle round my heart, and my lips parched by mental fever. The gloomy walls seemed to rock around me, and it was some time ere I could inquire what method we must take to secure professional assistance. Carwell spent some time in endeavours to console me, and to prepare my mind for the worst. But the generous devotion which led all his thoughts to devolve on my suffering, increased my misery. How many hours did I spend in mental prayer, yet prayed so distractedly, that though my heart was full of the sentiment of supplication, I knew not the words I used!

'When the day closed, the pause of life which night seems to bring, allowed my mind to dwell without interruption on its distracting fears. It seemed as if any human being, however uncongenial, would have been welcome, if he broke the dismal silence, and spoke of any subject but that on which I dreaded to think, yet thought incessantly. The weary night seemed endless; and when towards morning I sunk into disturbed sleep, the horrors of reality pursued me. I saw the crowded court—the accusing witnesses—they seemed to multiply every moment. *His* witnesses do not appear when called—the judge rises to pass the sentence—I feel it will be unfavourable—it rings in my ear—and I awake at my own shriek of despair!

'Then, as the pale streaks that precede the dawn appeared through the narrow window that faced my solitary bed, I started to think that that very day would clear away some part of the obscurity which hid the future—that very day might perhaps bring some encouragement which I might trust to, or some intelligence which would kill every hope—that day I might learn that few more were destined to rise for Carwell!'

The authoress, who is said to be the widow of the man of wit and social fame, known familiarly under the name of Tom Sheridan, and who fell an early victim to the scourge of our climate, a pulmonary consumption, has not, or perhaps has not wished to, conceal her claims to the reputation which will doubtless attach itself to this little work.

ART. III.—*A Political and Historical Account of Lower Canada; with Remarks on the Present Situation of the People, as regards their Manners, Character, Religion, &c. &c.* By A CANADIAN. London. W. Marsh and Alfred Miller, Oxford-street; Constable and Co. Edinburgh. 1830.

THE above work, which well deserves the attention of every one at all interested in the fate of the colony to which it relates, affords an opportunity of again recurring to the situation of Lower Canada. In former Numbers the vices of the Canadian government have been described, and an explanation of their causes attempted. The purpose now in view is to point out the only remedy for the evils then enumerated.

In performing this task frequent use, as mere matter of evidence, will be made of the publication, the title of which stands at the head of the present article. It will be requisite, therefore, to premise a few observations respecting the circumstances under which the work seems to have been composed, and also to offer some remarks as to the capacity and situation of its author.

The author in his preface describes himself as a Lower Canadian, who has for some years resided in England: from his work he seems to be in constant communication with his native country, and to take a deep interest in its concerns.

The population of Lower Canada is composed partly of English and their descendants, and partly of descendants from the original French settlers of the colony; the latter forming at least nine-tenths of the whole. "The Canadian" is one of this French portion of the inhabitants.* His evidence therefore, if he is to be considered a fair specimen of his class, is of the highest possible importance, since it is an expression of the feelings common to the great body of the people in the colony, by which feelings alone can our government of the country be fairly estimated. That the opinions which he puts forth are those entertained by his countrymen generally, can easily be placed almost beyond a doubt. In February 1828, the people of Lower Canada presented petitions to the Imperial Parliament respecting certain grievances, which they believed to exist in the government of the colony. These petitions are acknowledged by every one to represent correctly the opinions of the French Canadian population. But these petitions are the very echo of "The Canadian's" assertions on all points connected

* It appears from the preface, that his work was "originally nearly all written in French."—p. xii. pref.

with the subjects to which the petitions relate. His book indeed embraces a much wider field than that which the object of the petitioners led them to consider: but seeing the perfect coincidence of "The Canadian" with his countrymen on the matters common to them both, it may with great safety be concluded that he represents their opinions fairly respecting those points also, whereon they have not yet had an opportunity of declaring their sentiments. On this ground, therefore, and on others that will be immediately apparent, "The Canadian's" assertions will be adduced throughout the following observations as strong evidence, when reference is made to the opinions of the Canadian people.

'The object of the work is to give a succinct detail of the government of the country thus described, from the epoch of its passing under the dominion of the English, down to the period of the termination of lord Dalhousie's administration in the year 1828. Into a very minute discussion of the proceedings of the colonial government, during the first years of the English rule, it is not my intention to enter; and with a cursory view of the more important legislative proceedings of the Imperial Parliament, I shall dismiss this early portion of our history: but as I come nearer to the present time a more particular detail will be required. I flatter myself that an exposition of the conduct of this specimen of colonial administration will not be entirely destitute of interest even to the English reader; it will give him an insight into the workings of a vast, and in my mind, an ill-constructed machine of government; it will prove to him the pernicious consequences of having irresponsible rulers, and the utter impossibility of a well-organized administration being composed of persons drawn from a distant country, ignorant of the manners and situation of the people they are destined to rule, and careless of those interests with which they are but temporarily connected: it will exhibit to him a scene of complicated and vexatious oppression on the one side; of unsuspecting confidence and willing obedience, changed by ill-usage into distrust and opposition on the other: it will prove how the best intentions on the part of the English people have been constantly defeated, by the avarice and despotism of petty officers; it will teach him, in short, how a whole people have been checked in the progress of improvement, enthralled, ill-treated, abused, and then misrepresented by the evil influence of a handful of grasping functionaries.'

'Having exposed the evils, it is, then, my intention to propose the remedies; to lay bare the injuries which my country has suffered; to point out the means of redress. These are the sole objects of the present undertaking.'—pp. 4, 5.

The author next proceeds to give a short history of the most important and critical periods of the colonial history: after which he enters into a general and highly interesting statement

of the manners and feelings of the various portions of its motley population: their customs, religion and character. He then considers the state of education in the colony; points out the circumstances which have hitherto served to check its progress, and suggests a plan of general instruction. A chapter on the waste lands of the crown succeeds;* and the main body of the work is closed by a chapter on the remedies for the various mischiefs previously detailed. An appendix containing various *pieces justificatives*, and statistic matters ends this interesting volume.

Writing under the influence of strong feelings on the different subjects which he handles, the author as was to be expected, assumes somewhat of the character of an advocate: his charges (usually indeed supported by documentary evidence), are expressed in energetic language, and his descriptions of his country and countrymen are somewhat *en beau*: the prejudices and errors of his class moreover are often apparent He writes in short rather in the manner of an enlightened, and patriotic Canadian, than of a cool and disinterested stranger. These circumstances enhance the value of the work; since it thus becomes more strictly an echo of the people's voice, and gives a more vivid and faithful idea of their present feelings and knowledge, than the most laboured description could possibly have afforded. The work, in short, is the production of a man of straight-forward good sense, and liberal spirit: of one who from much converse with the world has become shrewd in the detection of interested motives; and who, although travel and experience have dissipated in him the blind prejudice and partiality almost universally entertained by those who have been confined to one spot and heard but one set of opinions, still retains a strong tinge of the original feeling, character, and sympathies, which he acquired in youth, and among his own people. The reader having been thus made acquainted with the nature of a portion of the evidence about to be employed, we at once proceed to the more immediate subject of the present article; viz. a discussion of the remedies for the evils at present existing in the government of Lower Canada.

If the most excellent measure, both as regards the colony, and England, were to be proposed, there could be little hesitation in recommending the instant emancipation of the colony.

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* This chapter contains a doctrine respecting the settlement of the waste lands of the country, generally received by the Canadians, but which nevertheless is untenable. This doctrine we purpose to consider in a future number.

Our government is, and do what we can ever must be, a bitter grievance to the colonists; is, and ever must be an enormous, and unrequited expense to ourselves. We are erecting forts, digging military canals, maintaining armies at a ruinous cost, for no purpose whatever, that is beneficial to ourselves as a nation. True, indeed, some few of the aristocracy, and some dozens of their dependents are maintained under the pretence of superintending the erecting the forts, digging the canals, commanding the armies, and the ruling of the people. But the people can rule themselves better without, than with our assistance; it would be cheaper and wiser to pay at once and without any blind, or any pretence, the few persons now provided for in our colonies: since the paying a few absolute idlers, would be far more economical, than maintaining a host of labourers employed uselessly or mischievously; the colonists would thus be freed from oppression, and we from a ruinous expenditure. We should part on good terms; and anticipating by a few, a very few years, the inevitable separation of the two countries, should incur no dreadful cost, should cause no unnecessary carnage, create no hostile feelings—and in the mean time gain, not lose, by our liberality. But they preach to deaf ears who recommend this *wisest* conduct. The notion respecting the utility of the colonies is too firmly fixed, to yield even to the demonstration of its erroneousness: nought but time and absolute experience of some horrible evil will render its fallacy apparent. When, as in the case of America, we have expended a countless treasure, when we have been baffled, defeated and disgraced—when we are absolutely driven from the shore at the point of the bayonet, then, and not till then, shall we be conscious of our desperate folly, and extravagance. The time is not far distant when the colonies will assert their independence; and as such independence will be wrested from us by arms, America will of necessity take part in this vindication of self-government; by her benefits she will induce the grateful colonies to become members of her mighty and happy federation, and the power of this gigantic republic will be bounded only by the Pacific on one side and the Atlantic on the other, and will stretch from the Gulph of Mexico to the Frozen Ocean. An early and pacific emancipation of the colonies can alone have any chance of preventing the creation of this unequalled empire. For ourselves indeed we dread not such result—though others dread it, chiefly those who believe in the utility of colonies. What we mainly fear, is the suffering consequent upon what will really be a social war. The rending asunder the amicable relations that now e[illegible] between us and our colonial brethren, the

creation of hostility between England and the United States, in comparison with which all other hostilities sink into insignificance; the universal confusion, attendant on such a rupture —the expense, the bloodshed, the check to improvement necessarily consequent on it—these are mischiefs that every good man would shudder to encounter, and which all should most strenuously endeavour to avert; but which cannot be averted, if we cling with that unyielding tenacity to colonial dominion which has ever been the bane and curse of the people of this country, since the fatal moment when England first laid claim to sovereignty over distant lands, discovered, peopled, or conquered by her citizens.

If the advantages of colonial dominion were fairly inquired into, they would be reduced in every case to the profit accruing to some few officers despatched to mal-administer the affairs of the colonists. Every thing else connected with these outlying territories is matter of absolute loss. To try the truth of this proposition, let the various colonies belonging to Great Britain be separately examined; let the military and naval force employed in maintaining them in subjection be deemed an evil, since it is an expense, let the frequent wars that they have occasioned be honestly estimated, and then let any one endeavour to discover what benefits can be supposed to justify the enormous cost. Waiving the general proposition, let each separate case be determined by its separate merits. Let the matter be investigated after a plain practical method, employing no wide and general assertions which task and perplex the understanding of those unaccustomed to long and intricate deductions—indulging in no foolish vanity connected with extensive empire, but calmly, honestly and completely investigating and weighing the distinct items of benefit and injury in every case. One instance (that of Lower Canada) is here before the public—let them consider the following succinct, unadorned statement, and then let them, deciding for themselves unassisted and unbiassed by interested suggestions, ask what advantage do we as a people derive from maintaining dominion over this particular colony?

Our benefits must be derived either in the shape of direct tribute; or indirect advantage through commercial intercourse.

But no direct tribute exists: so far indeed from money being derived from, it is notorious that thousands are yearly actually despatched by this country, to the colony. All the military works are carried on at the expense of England; the expenditure on the army is entirely hers. The amount of which various items the government are specially careful to keep out of view,

when they descant on the advantages of colonial dominion; and which unfortunately no efforts have yet been able to make them reveal.

But is there no indirect advantage derived from our trade?

The trade of Canada consists in exports from that country to this of wood and ashes.

The wood or timber trade is universally allowed to leave an enormous annual loss, the timber sent being both bad and dear. Our loss in the year of 1825 resulting from this branch of commerce alone, was proved to exceed one million sterling.* The loss arising from the trade in ashes in consequence of the same circumstances, viz. their inferior quality and greater price, in 1826 was somewhat more than thirty thousand pounds. This one million and thirty thousand pounds annual loss by trade being added to the annual expenditure in maintaining our dominion, gives the sum of the exact money-value of the colony to us as a people—viz. an annual loss amounting to some millions sterling.

The benefit to be opposed to this loss consists in a few items of spoil enjoyed by a small number of persons connected with the aristocracy. To support this benefit to themselves, our rulers are careful to possess the people with extravagant notions respecting the utility of colonies. Here is a plain statement in opposition to this interested panegyric; the items of the account are within the comprehension of every individual; they are involved in no mystery, and are open to every one's inspection. If false they may easily be disproved—but if true, how can the conclusion to which they point be avoided? That conclusion, is, to get rid of the mischievous encumbrance, which entails on us such unrequited expense.

But the voluntary emancipation of Canada is not yet to be expected; since the people not sufficiently aware of their true interest abet the aristocracy, in maintaining a dominion, ruinous to ourselves, and bitterly injurious to the colonists.—The ignorance and the vanity of the people form the firmest support of the sinister interests of evil governors.—It is to be feared however that this ignorance and this vanity are in the present case too deeply rooted to be quickly destroyed. Let us then turn from this *wisest* counsel and endeavour to discover what course is best to be pursued compatible with retaining sovereignty over the unfortunate colony.

Although it may easily be supposed that the wish of England, or more correctly speaking of England's aristocracy is to inflict

* See No. xiii.

no evil upon the colony not lucrative to themselves, still to address the government with any hope of success, if it was intended merely to point out a mode by which much unprofitable vexation might be saved the colony, would be useless labour. The present article, however, is not so confined in its purpose; for the plan about to be suggested will, if adopted, not only be of incalculable benefit to Canada, but will also possess the far more attractive qualities of obtaining for our aristocracy more profit than the present mode of government obtains, and of continuing their power for a longer period, than can possibly be hoped for under the system now in force, and some consideration may perhaps be given by the government to suggestions, which have in view more than the mere benefit of the people.

The administration of the late governor lord Dalhousie, excited the colony to open discontent, and raised loud and formidable complaints: commissioners were sent to convey the expression of their grievances to the parliament of Great Britain, and to solicit, or more properly to demand, redress. The character of these remonstrances obtained for them, that consideration which fear alone can gain from the government of this country. Lord Dalhousie was recalled, and sir James Kempt the present governor seems to have received instructions to pursue a course totally distinct from that of his obnoxious predecessor. Conciliatory measures have been adopted, the popular party in the country is for the time predominant, and all seems to wear a peaceful appearance. This state of apparent quiet, however, is utterly fallacious; the causes of discontent still remain, and in a few years the disputes and disturbances which have vexed the colony during the whole period of our dominion, will with increased violence be again renewed.

The portion of the Canadian government maintained through the influence of England consists of two distinct divisions: 1st. such persons as are sent out immediately from England for the purpose of filling certain offices in the government: these are mere birds of passage: 2nd, such persons resident in the colony, as have crept into office during various administrations, and who cling to their situations long after those who appointed them have disappeared. In the emoluments of the first class, the aristocracy here have an immediate and powerful interest: in those of the second hardly any interest whatever. But this second body is by far the heaviest burthen on the colony, as well as the most vexatious and hated portion of the government.

The executive or administrative portion of the government is composed of the Governor and an Executive Council: The legislative of the Governor, a Legislative Council, and a House of

Assembly; the legislative and executive councils being the same persons under different names. The situation of governor, some few of the more lucrative civil offices, and all the military appointments, really interest the aristocracy of England. The greater portion of the offices held by the persons composing the executive and consequently the legislative council, are in fact the appanage of a certain small circle with whose welfare or importance the government of England is not in the slightest degree really connected. These persons were originally appointed to their offices by the early governors of the country to act as a species of privy council: when the governors departed, these executive councillors remained, and initiated or pretended to initiate the succeeding governors in the mysteries of Canadian politics. They persuaded the governors, that they, (the executive council) were an all-important body; they sought for and obtained a large portion of the good things in the gift of the government, and transmitted them to their descendants,—thus gradually absorbing by far the largest parcel of the rich offices afforded by the colony. The government of this country reaps little of the benefit. A governor is sent out by the ministry (that office being utterly out of the reach of the executive). This governor has a retinue of hungry followers; but when he arrives he finds many sturdy applicants for place, whom he dares not offend because connected with the Executive Council. He is obliged to share the spoil with these formidable compeers, and at the expense of much odium and vexation acquires only a pitiful modicum of the profit. The situation of governor according to "The Canadian" seems by no means one of unmingled delight: he says,

'The governors when appointed, know, or quickly learn, that they are about to stand between two powerful and opposite political parties. We may easily suppose that, having in the outset no particular bias, they would be reserved in their conduct, and appear free from partiality. When they arrive however they are possessed of little knowledge respecting the country and the people; and from the shortness of their stay, they are enabled before they depart to acquire very little more. They are nevertheless personally responsible for their conduct. It is natural therefore that they should have recourse to such persons as can most completely defend them from all those evils which their ignorance might probably entail on them. They quickly discover the most useful to them, and from many circumstances the most powerful persons are the members of the Executive Council. In these then, they eventually confide; and experience has shewn that, whenever a contrary course has been pursued, the governor has uniformly paid dearly for his temerity. The council when contradicted, seldom fail to transmit to the Treasury representations

disadvantageous to him contradicting them; and as a governor can easily be found, and an Executive Council cannot, without great difficulty, be replaced, the governor is sacrificed."—pp. 18. *et seq.*

In support of the truth of his remarks, the author adduces the history of various governors, which tends strongly to prove the power of the Executive Council in diminishing the worth of the situation. Sir James Craig believed the Executive Council, and was swayed and governed by their intrigues: he left the province just verging on rebellion.

'"At length on the 11th of June" says the Canadian "he embarked for England, to the great contentment of almost the whole population, carrying with him the maledictions of an insulted people, and leaving a disordered government in the hands of the president of the council.—p. 34.

Sir George Prevost acted and thought for himself, and disregarded the council; he departed in disgrace with the ministry here, but the idol of the people of the colony. Sir John Sherbrooke's fate was somewhat different. He, it seems, by clever management and affable manners contrived for some time to maintain himself in good understanding with both parties, and when at length disputes began to arise, and the old causes of discontent again to be inquired into, he fell ill, and was obliged on account of ill health, eventually to leave the province.

'He thus till the end of his administration was in favour with both parties; no governor before or since that time has been equally fortunate.'—p. 65.

The Duke of Richmond died in Canada, after having raised the whole people to be his enemies in consequence of his being duped by the council into a support of their pretensions. "The Canadian" after criticising a speech delivered by the duke from the throne, and relating the circumstances connected with his death, thus dismisses His Grace from the political stage:

'The province was grieved at his unhappy end, but lamented not the loss of his services.'—p. 71.

Next came lord Dalhousie; he also was persuaded to be of the party of the Executive Council. The province consequently was raised almost to a man, remonstrances, the purport of which could not be misunderstood, were forwarded to England, and he was recalled after incurring the bitter hatred of the whole French population.

For what purpose, and for whose benefit has all this odium been incurred, all these various disturbances created? Not for the mere personal advantage of the governors, for their salary and emoluments have remained untouched and undisputed.

Not for the maintenance of the army, for that is paid by England. The colony is doubtless in part retained to serve as an excuse for maintaining an army; but this excuse is used as a blind for us, and has no relation to the colony. Neither has this social war been carried on for the purpose of insuring to the governors patronage for the benefit of their dependents, resulting from the various civil situations connected with the military establishments; these also being supported totally by England. The whole of the benefit then which results to the aristocracy, and which can in any degree or manner be supposed to flow to them from this trouble and vexation is that little share of the civil patronage which falls to the lot of each successive governor. Now it will be easy to shew that this patronage so far from being increased and maintained by the present system, is in fact daily decreased by it; and hourly in danger of being lost for ever.

Under the present state of circumstances there are two courses which the governor may pursue: he may either take all the civil patronage to himself, or he may share it with the Council. Under the first supposition two inevitable consequences follow; he himself remains but a short time to enjoy this undivided spoil: and they on whom the offices have been conferred by him, are stripped of the emoluments attached to them so soon as the governor departs. The certainty of these effects (a certainty proved by experiment),* for the most part induces the governor to share the profits with the powerful Executive Council. What is the consequence? Each successive governor has a smaller patronage; each one becomes more enthralled by the local oligarchy, more hated by the people, more miserable in the exercise of his power: and the dominion of this country is hourly put in jeopardy.

The manner in which the patronage becomes narrowed to every succeeding governor, may be easily explained. When an office becomes vacant, it is given to a candidate favoured by the Council or the governor: in the first case it is certain, in the latter probable, that the favoured person becomes united in power, interest, sympathy, and society, with the petty local aristocracy already established. His children and connexions

* This is proved by the fate of Sir George Prevost: and by the present situation of those few persons who have served the governors zealously without reference to party, and who have been rewarded for that zeal by the gratitude of the governors uninfluenced by, sometimes in opposition to, the Council. (A few such cases exist.) These real friends of the governors have been stripped of their emoluments, and hated and ill-treated both by the Council and the Assembly.

become new candidates for place, and swell the ranks of the Council's applicants when the next governor arrives. He being pressed by the Council in favour of this increased number of persons seeking office, has fewer chances of satisfying his own retainers. The case would be widely different, if the local oligarchy did not exist. Each governor would give the places which fell in during his administration to his own dependents and retainers; he would thus render a service to those whom he wished to aid, viz., the very persons upon whom he bestowed the offices; but these persons whom alone, and not their descendants, he desired to benefit, would not be enabled through the assistance of a local colonial aristocracy, to fetter the next person on whom the English aristocracy should confer the situation of governor. He, like his predecessor, unshackled by the claims of applicants in whom he took no interest, would have full power to serve his own friends. And thus the office of governor would be far more lucrative, far more useful for the purpose to which it is reserved by the government here, than under the present system can ever be expected.

As the administration is now constituted, the governor is not only deprived of the chief portion of the emoluments, but is of necessity subjected to the bitter hatred either of the whole Canadian population, or of the small but powerful colonial aristocracy, and is besides, in fact, reduced to be a mere puppet, endowed with but a shadow of power.

To those who have never lived in colonial society, the animosities which prevail therein, and the power of those animosities to disturb and destroy the happiness of any one connected with it, are luckily unknown; and by those who live in such fortunate ignorance, can hardly be appreciated. The close contact of persons who have opposite interests, invariably creates bitterly hostile feelings. If one party is supported by the assistance of a foreign power, the hostility is rendered still more inveterate and rancorous. The close contact gives frequent occasion for mutual ill offices, sarcasm, and insult. Impunity arising from foreign support, on the one hand, animates to unbridled insolence, while conscious superiority on the other over those who indulge in this now unpunished license (which superiority is only checked by the influence of the stranger), raises a spirit of deep and ungovernable hatred. The menial or the slave, who by his master's favor and support is permitted to play the lord over his fellow menials or fellow slaves, allows himself greater extravagance and insolence than his master would pretend to, and is also an object of more deadly hatred, than the master would be even using precisely the same airs, and exercising the

same tyranny. Thus it is with a colony over which a local aristocracy is enabled to domineer by the assistance of the mother country. The little despots are insolent to a degree unknown to their masters; while the population hate them with a rancour even more than proportioned to their insolence. Any one who unluckily is forced into society with these hostile parties, is hated by both if he remain neutral; and choosing one faction, he makes irreconcilable foes of every individual belonging to the other. Such, as may be seen from an extract already given, is the situation of every governor who is sent to Canada. That such is the strife existing in the society of that country, is further proved by the following passage from the same work. The attention of the reader is particularly solicited to these observations, as they constitute an important piece of evidence respecting the feelings of the Canadian people.

'The whole Canadian population constitute the objects of their hatred, [that is of the executive council and dependents,] "and that portion whom chance brings into the towns are subjected to their special contempt and ill-treatment. A perfect oligarchical spirit has thus taken possession of the English inhabitants; they unite and form a separate society; deride and scoff at every thing without their own mysterious circle, set at defiance every rule of common courtesy, with all not within its hallowed boundary; serve by their ill-timed insolence to weaken the English influence in the country, and will finally, if they persist in the same plans, for ever alienate the affections of the people.'—p. 143.

After having described the conduct of the few English gentlemen who are sent to the colony, he thus describes that of the resident understrapper.

'Aping these gentle off-shoots of a gentle race comes the vulgar dependant; vulgar in spirit, in manners, and in intellect; suddenly mounted into importance, blessed with unexpected power, he longs for outward and flattering proof of his new dignity. What proof so strong, so flattering as unpunished insolence to those around him? But wise is he in his generation. The higher powers he dares not to trench upon, for the stripling of some aristocratic house he has a species of ingrained veneration, from the poor, the weak, and the distressed he shrinks as from contamination; upon these, therefore, he visits the first exercise of his dignity. His aristocratic co-partner in power is equally contemptuous, perhaps equally heartless, equally alive to sinister interests, but nevertheless he is somewhat less coarse and brutal in his behaviour. He has during some part of his life associated with gentlemen; a dash of courteousness will, at times pervade his behaviour; sometimes, he will feel, that respect is due, even where wealth and power exist not; but with the low menial raised suddenly to distinction all is equally vile;

he never, even by accident betrays one generous emotion; constantly alive to his original insignificance he strives to banish the recollection by continually calling to mind his present altered situation; he finds no readier, no more pleasing mode than by continual insult of others.'

* * * * * * *

'As this state of affairs continues, the spirit which I am here depicting is hourly increasing; not only are the Canadian population the objects of this contempt, but so also is every one, even though English, if not immediately connected with the powers that be. The members of the government, the officers of the army, and two or three fortunate merchants, are now almost the only inhabitants of this empyrean region. The feelings that originated in political disputes are now supported and extended by mere aristocratic jealousy: and as this regards not so much political as social distinctions; distinctions in wealth, employment, and connection; the system of exclusion is extended to the honest and industrious English as well as French. If the consequences of such divisions in society were merely separations in their private relations, little serious mischief would arise therefrom; but the evil stops not here; the business of government is carried on in the same spirit; the most insignificant government official practises the same airs, and is as insolent and overbearing as his superior. All the transactions, therefore, which of necessity are carried on between the government and the different members of the community at large, are a constant source of vexation; the people are offended, and look with no spirit of good will upon those intrusted with command. Jealousies, heart-burnings and vexatious contradictions result on all sides, and the two classes of the city population bitterly hate and abuse each other.'—pp. 144 *et seq.*

All this strife confers no benefit on the governors in the shape of increased emolument, while it is a most serious evil, since it deprives them of quiet. No matter what party they favour, a host of enemies rise up against them, and however good may be their intentions, destroy their peace, and oftentimes misrepresent their conduct. But it may be said, this evil is inherent in the government of a colony, and results not merely from the existence of a local aristocracy. Should this be destroyed, the same disputes would arise between the governor, with his immediate dependents, and the people. The people would see the rich offices given to strangers, would consequently have the same feelings of jealousy as at present, and would create the same disturbances. This argument though partially true, is not sufficient to support the present state of things. The complaints of the people arise only in part, from seeing their money paid to strangers. They complain also because more money is taken than is required; because those who receive it are insolent, and mischievous—mischievous in disturbing the business of

government, and putting a serious check upon improvement of every sort. The colonists know that being a colony they must have strangers among them for rulers; they quietly submit to this evil deeming it inevitable. But to have their wealth squandered, and that too not upon their masters, they do not patiently bear. If the English governors were permitted to provide for their own retainers, without at the same time being obliged to provide for the friends of the council, a more ample provision would be obtained for their friends while less money would be taken from the colony. That constant pressing, and hot battling for preferment which now exist, and which necessarily induce a desire by every means to make offices for the purpose of obtaining the salaries attached to them, need not and would not occur, as enough would be found in the ordinary offices of a government far from economical, for the limited number of a governor's followers. Thus one cause of discontent and hostility would be destroyed. Again if the local aristocracy were deprived of power, there would be no party hostile to the people of sufficient importance to constitute a separate class. The persons whom the governors put into office would possess none of that* political influence now possessed by the council (an influence only used for their own purposes never to forward the views of the governors:) they would therefore be unable to create those disturbances in the legislature, which have had so powerful an effect in retarding the improvement of the colony. But being deprived of this power, they would have an interest in maintaining a good understanding with the legislative body. Thus another and the most efficient cause of hostility would be effectually eradicated.

By putting an end to the influence of this local aristocracy, another step would also be made towards peace and good will, since thereby the selfish interests and petty jealousies of certain of the popular leaders would be rendered impotent and harmless. An explanation of this effect will serve to give the reader a still clearer and more comprehensive view of the state of Canadian society.

Of the French portion of the population, the people of the towns, and the *seigneurs*, for the most part alone come in contact with the Anglo-Canadian or governing party. Of this section of the Canadian population, the seigneurs for many reasons deserve the most attentive consideration. The future import-

* It will be immediately shewn how this aristocracy can be destroyed, and how any set of persons in office in the colony may be prevented gaining political influence.

ance of the existence of such a class has been seen and appreciated by "The Canadian;" though the prejudices of his order have here led him into mistakes which we should hardly have expected in so accute an observer.

As was explained in a former article, the lands of the country are chiefly held under what is termed the *seignorial tenure*, or *en fief*, or seigneurie:

'That is, a lord or seigneur possesses a right to certain returns over a specific portion of territory, each portion thus possessed being a seigneurie. The returns consist partly in personal service, partly in certain taxes upon production and interchange at the hands of the vassal; on the other hand, the lord or seigneur is bound to perform certain acts for the convenience of his vassal; he must build mills, make roads, &c.'—p. 118.

Under the French dominion these persons were *nobles*, and enjoyed the old feudal jurisdiction, including *la haute Justice*: the consequences of which can easily be understood by those acquainted with the early history of modern Europe. The greater part of these nobles, it appears, left Canada when it passed into the hands of the English, and their property by degrees fell into the hands of the rich bourgeoisie,* who succeeded not only to their estates, but would seem in some degree to have acquired certain of their notions. The English government deprived the seigneurs of the greater part of their more pernicious privileges, such as judicial and military power, but still left them possessed of rights highly vexatious and mischievous. They possess, for example, an exclusive right to erect mills; also, the *droit de retrait*, a most injurious privilege, which deserves to be explained.—A vassal selling his estate is obliged to give notice thereof to his seigneur, offering him a fine, which is termed *lods et vents*, and consists of one-twelfth of the purchase money. This is another and most iniquitous right. The seigneur has the privilege of forty days consideration whether he will take the fine or the estate at the sum offered by the purchaser. This power of buying in the estate is called the *droit de retrait*. A more mischievous complication of evils can hardly be imagined. This question will be more fully discussed in a future number, when some observations will be offered on a question now actually under dispute in the colony and here; viz., the relative advantages of the tenure in free and common soccage, and that *en fief*. These various peculiar rights or privileges make the seigneurs a distinct class in the community—not distinct by the possession of present wealth,

* See p. 114, *et seq.* of the Pol. and Hist. Acc.

but of obnoxious power; they are at this time not richer than many of the other inhabitants, but they are more mischievously powerful. Having succeeded to the old *noblesse*, they crave after their distinctions; not one of them, though his veins have nought in them but what has been graciously termed the "plebeian puddle", omits, upon the slightest pretext, to prefix the coveted *de* to his name. They affect to be called the landed aristocracy; they deem themselves the *élite* of the people—in fact they are *des bourgeois gentilshommes*, wishing to be considered *gentilshommes nés*. Mr. Pitt served in no slight degree to confirm and heighten the notion of their own importance, when he amused the House of Commons with his plan of creating an aristocracy in Canada out of this body of seigneurs. The British minister was an authority, which, since it favoured their own views, they deemed irrefragable, and which they fancied others would implicitly obey. Their disappointment and vexation upon finding these pretensions set at nought, and themselves treated with absolute contempt by the hirelings of the government, was in proportion to their preconceived extravagant and vain expectations. The seigneurs of the country, the landed aristocracy, the real nobles of the land to be thus passed by, neglected, and contemned! The outrage was not to be borne, revenge was to be obtained. How revenge was to be obtained, became an interesting question. The Legislative Council (the supposed House of Peers in the Canadian legislature) was effectually occupied by their opponents. The House of Assembly (the House of Commons of Canada) lay open to them, but upon one condition; viz., that they should advocate the people's opinions. The qualification for an elector is of such a description as to include nearly every individual in the province. The people generally are frugal, and are seldom much under the power of the seigneurs. It was necessary, therefore, to please and rouse the people. The Executive Council soon gave them an opportunity. During the government of sir James Craig the Anglo-Canadian party began to indulge in abuse of the French Canadians; the governor was weak enough to encourage this abuse, and unjust enough to attempt to punish those Canadians who answered the calumnies cast upon their country. A story of a plot and insurrection was got up, and several persons, and among others, some members of the House of Assembly, were put into prison without the legal forms, and afterwards turned out of prison without trial or investigation. A party of military also seized the printer and printing press of the newspaper in which the answers to the attacks of the Anglo-Canadian, or party of the Executive Council appeared. These outrageous

proceedings enabled the seigneurs, now become popular leaders, to stir up the people, and to dissipate that political lethargy which had hitherto possessed them.*

These popular leaders, as they are called, craving after consideration, and hating those who prevent their attaining the object of their fondest desires, have a deep interest in keeping alive the present discord, since by that means alone can they hope as a body to succeed. This discord they are enabled to maintain solely by the abominable conduct of the council. Real grievances have resulted from that conduct, the public money has been notoriously squandered, oppression has been exercised in various cases, constant insult to every class of citizens has marked the conduct of the government officers. The education of the people has been shamefully opposed,† and the settlement of the country retarded. It was easy then to keep the public alive, and under the cover of these real public evils, to prosecute private interests. Every petty act, whether resulting from design or not, from good or evil intentions, has been laid hold of, ideal evils have been created, actual minute ones have been exaggerated (though upon a sufficient reason in the shape of places, &c. great ones have been passed by). A spirit of cavil has been introduced, and private griefs have been erected into public misfortunes. Still it must be allowed that much good has been done by these persons, but if the Council's power were destroyed, all the present good would be attained, while the chances of evil would be materially diminished. The people of the colony would be allowed to fill many of those necessary offices, which are now conferred wholly on the friends of the Council,‡ and the interested cry for place, and the quarrels and dissensions attendant thereon would necessarily cease. But it may be asked, is there any justification for speaking thus harshly of the popular leaders? The best reply that could be made would be, to adduce the whole evidence existing respecting their conduct. Unfortunately, however, a part only can be brought forward, as our remaining space will hardly suffice for the matters yet to be treated; still some, and perhaps sufficient, shall now be laid before the reader.

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* See p. 32, Pol. and Hist. Acc.

† See c. v. of Pol. and Hist. Acc.

‡ Great discontent is raised by the distribution of these places almost wholly among the friends of the Council. These places, for example, all connected with the administration of justice must be conferred on persons brought up entirely, or nearly so, in the colony. As a means of patronage to the aristocracy for their immediate retainers, they are useless, therefore, and might be given to the persons most deserving, without any diminution of the profits of the governor.

When sir James Craig violated the laws of the country, by illegally imprisoning unoffending persons, what would have been the conduct of men sincerely patriotic? Would they not constantly have insisted upon some open acknowledgment from the British government that such conduct was reprehensible? Would they not have demanded a pledge that it should not again be renewed? But what would be thought if the sense of personal and public injury were lulled by the soothing application of lucrative offices? Of the persons imprisoned "one more obstinate than the rest refused to depart," (when ordered) "and remained one year longer incarcerated. Perceiving that he gained nothing by holding out, he then took leave of his gaoler." "The Canadian" then with amusing naiveté immediately adds, "it is perhaps satisfactory to learn, that, in the succeeding administration, all these injured persons were recompensed by lucrative places, that the printing press was also restored to the original proprietors; and that the most obstinate among them being an advocate was advanced to the post of a judge" [p. 31]. He then very justly and pertinently makes the following observation.

'We may here be permitted to remark that the recompense thus bestowed was no retribution: it came not from the hand which worked the evil; it came not from the law acting as the redressor of wrongs; but was solely the result of the good feeling and good sense of the next governor, using his private judgment: and though the world well understood the reason for the favours then bestowed upon these injured persons, no public avowal of misconduct on the part of the governor was ever made—no public and formal acknowledgment of the innocence of those he had imprisoned was even attempted: the illegal act passed off without censure, and might be committed anew for aught then or since done respecting it.'—pp. 31, 32.

This is very correct, and as regards the private injury very judicious; but the public injury seems to have escaped the notice of the persons injured, and almost that of the historian. Where was fled the patriotism of the popular leaders? How did it happen that when lucrative offices were given to them, and the private evil thus redressed, that the public mischief was wholly neglected and forgotten? Surely the great, the sole object was not merely to remunerate the few individuals wronged for the injury sustained. A far more important end was, to prevent the thousands that are to succeed them from suffering the same injustice. Private interests however being uppermost in the minds of these popular leaders, the public welfare, when no longer a convenient pretext, was forgotten.

Again in 1814, the House of Assembly thought fit to impeach

the Chief Justice of the Province and the Chief Justice of the King's-Bench at Montreal. The right of the House to impeach was disputed; the matter was referred home, and was agitated in successive colonial parliaments till 1817. Here was a great public question involved; two persons had been formally accused of high misdemeanours, and from the mighty alarum that had been raised, it was fair to suppose that the popular leaders deemed the matter one of the most serious importance. In 1817 the whole affair was suddenly dropped. What was the cause of this sudden alteration in the views of the House of Assembly? Let "The Canadian" give the answer.

'It has been attributed, though I hope incorrectly' (the meaning of this saving clause is apparent) 'to interested views on the part of the Speaker of the Lower House, who in sustaining the accusations of the Commons, against the Speaker of the Legislative Council risked the loss of a salary of 1000*l.* per annum, which the House had voted to him, and which the governor had agreed to sanction provided the same sum was voted to the Speaker of the Legislative Council. This the House could not refuse, unless the Speaker of the Lower House had been determined to sacrifice his private interest, and had requested the House to be firm in their determination on a subject in which their own honour and the welfare of the country was concerned. Unfortunately the Speaker Mr. Papineau took an entirely different view of the subject, giving the House to understand that after the decision of the Privy Council in England, and the approbation of that decision by the prince Regent, it was dangerous to push matters further; and that in the critical situation in which the House stood, with respect to the Legislative Council it would be wise to remit the question to another session. This eventually proved to be no other than a subterfuge by which the House escaped entirely all further discussion of the matter. * * * * The abandonment of the question was also partly attributed to promises made to some of the principal members, on the part of the governor of certain important and lucrative places such as judgeships colonelships and what not.'—pp. 60. 61.

It is very satisfactory (we imitate the phrase of "The Canadian") to learn that "these promises, as it happened, he could not fulfil, inasmuch as he soon after fell ill, and was obliged to leave the province abruptly." Now here is the very Coryphæus of the party persuaded into silence upon one of the most important questions respecting the administration of justice, that have yet been agitated in the province, by the opportune chance offered him of obtaining 1000*l.* per annum: and the chief members lulled into forgetfulness by the bare possibility of an office. Such is the stuff of which patriotism is too often compounded.

Again it is well known to every one acquainted with the affairs of the colony, that for many years pressing applications

have been made by the people of the townships, as they are called, to be permitted to return members to the colonial parliament. These townships are settled by persons from Great Britain and the United States, and the lands are held in free and common Soccage. The Seigneurs have no power over these persons, their applications have for years been refused, upon pretexts too frivolous to need a comment, or upon no pretext at all. This conduct is hardly to be deemed that of persons sincerely desirous of advancing the interests of the country: but argues a petty jealousy, and interested motives by no means creditable to those by whom it has been pursued.

From all this it may be assumed, that the Executive Council has worked all the evil, and produced all the discord which has existed, and still does exist in the province. And the question now comes, the question which the present article has been written chiefly to answer, How can this mischievous power of the Executive Council be destroyed?

Two methods have been proposed: one of which has been acted on. The adopted method, however, is a mere palliative, and is useless; the other strikes at the root of the evil, and ought to be pursued.

The one method, that which has found favour in the eyes of the ministry, is to charge the governors with instructions to act in a conciliatory manner towards the leaders of the people: to yield, in spite of any suggestion, to certain demands of these leaders, both on the part of the people and of themselves: to pursue, in short, a more equable conduct towards the two hostile parties. These instructions are usually given under the influence of fear; and while that fear lasts are adhered to by the ministry and the governor. The fear, however, is by time allayed: the suggestions of the Executive Council begin again to be listened to; by degrees the old train of affairs is renewed, the governor, if he change not with the change of feeling in the ministry, is recalled, and the Executive Council again are paramount. Such were the instructions given to sir George Prevost, after the administration of sir James Craig. Such was the gradual re-conquest of power by the Executive. The disgrace of sir George Prevost followed; the power of the Executive was exercised without check, till the administration of lord Dalhousie, when the province was again roused, fear again was instilled into the minds of the English ministry, instructions to conciliate have again been given, and the power of the Council is for a short time depressed. A few years, however, will see it triumphant; the same turmoil and dissension will inevitably re-occur.

The other method has been proposed by "The Canadian," and deserves the most strenuous support: the alteration which he proposes is, "to abolish the Legislative Council, and to place the legislative powers in the House of Assembly and the governor."—p. 196.

The reasons for this alteration are manifest and apparent. The Executive Council is, although under some circumstances a mischievous, at all times a necessary body. It is necessary to carry on the mere routine of government; but is mischievous only because, by being composed of the same persons as the Legislative Council, it is enabled, for private purposes, to disturb the business of legislation. It is well known that the interests of the Executive Council have been followed steadily in the Legislative; and that by the means of the latter alone has the Executive Council been able to pursue its plans of selfish aggrandisement, to enthral the governors, and deceive the English ministry.*

It may be thought, that, under these circumstances, all that is required, is to change the persons of the Legislative Council, and not abolish it. This, however, can hardly be accomplished; and even if accomplished, would not be attended by the beneficial results expected.

The Legislative Council must be either composed of persons chosen for life or for a specified time, or of hereditary members.

If they be chosen for life or for a specified time, upon whom is the power of choice to fall? If upon the governor, and we see no other upon whom it could devolve, the Council would quickly come to be chosen by itself; and the Executive Council would as quickly be composed of legislative councillors or of their creatures. But, some may urge, that a strict rule might be laid down to which the governor might be commanded to adhere, of choosing from the landed proprietors of the country—say from the seigneurs; and thus, even supposing the Executive Council composed of these persons, no necessary mischief would result therefrom.

The persons thus chosen, however, would agree, or not agree, with the House of Assembly. If they did not agree with the House, all the dissensions that now exist would then also have place. The same causes would produce the same effects. The governor's peace would be as effectually disturbed as at present: the Council would assume the character of a petty local aristocracy supported by a distant and foreign power; the bitter

* See the petitions from the inhabitants of Lower Canada, inserted at length in the Pol. and Hist. Acc. at pp. 83 *et seq.* And see p. 193.

hatred resulting therefrom would again arise: the same trenching upon the emoluments of the governor, would again be created, and he, as now, would be completely enthralled by this little band of hungry competitors for place.

'Under this supposition the state of things would differ nothing from the present; the government would, in fact, be in the hands, not of the English ministry, but of a few grasping councillors. England would derive no benefit from the colony more than at present; she would be hated as the abettor of bad government, and stand in danger of losing the colony for ever.'—p. 196.

If indeed they agreed with the Assembly, a circumstance by no means probable, they would be a useless and expensive piece of machinery. They would render the governor no assistance should they be in accordance with him, and opposed to the Assembly, since all they could do would be to put a stop to the business of government, which, as it would bring with it a stoppage of supplies, would be of no conceivable service. If indeed they were opposed to the governor, and in accordance with the House, their opposition would be a formidable check and hindrance to him.

Under the supposition of an hereditary Council, still greater difficulties occur. It is but fair to let "The Canadian," to whom the honour of the present proposed plan belongs, if honour there be, speak for himself, in answer to this suggestion.

'It has been proposed to alter the composition of the Legislative Council, to make it (like the House of Peers in England) the representative of the landed aristocracy. There is one fatal objection to this proposal, there is no landed aristocracy in Canada. The seigneurs are not entitled to that appellation, the rights they possess, hitherto have conferred on them no political, no monied predominance; they are not richer—they are not more enlightened than some of the other portions of the community; their rights over the land are not so important as the rights of the tenants, they have not so great an interest in what concerns the land as the tenants who hold under them. If these be the material out of which to form the landed aristocracy, the greatest number of the seigneurs afford it not; we should rather take the vassals as the more eligible, but the vassals are too numerous. The vassals, therefore, cannot properly be used for the purpose of creating this nobility.

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'As by this arrangement the Council would be composed of hereditary members, the government of England would find that they had added another difficulty to those now existing in ruling the colony; they would find that to all good purposes the Council would be an untractable body. If the Council differed from the House, it would be on account of its own interests, as opposed to that of the

colony generally; and with this class the English government would have nothing in common. The government would therefore meet the Council in constant opposition, and meeting it thus, they would quickly learn, to their own cost, how unyielding an assembly they had unluckily created. The interests of England would, in the eyes of such an hereditary Council, be a constant source of jealousy, the Council would desire to be dominant, dominant for its own ends; in this supremacy of rule they would fear and hate so powerful a participant as England; their constant endeavour, therefore, would be to rid themselves of this disagreeable compeer: a constant scene of vexation, trouble, and retardment of business can easily be conceived as resulting from this proposed alteration.'—p. 193 *et seq.*

In addition to this abolition of the Legislative Council, we should also recommend making the Executive Councillors responsible for the advice given by them to the governors. The governors at present are legally responsible for their acts, that is, they are amenable to the courts of justice in England; the councillors, who generally are the prime movers of these acts are amenable to no one. This renders them careless respecting the advice they give, since they know well that the governor alone, and not themselves, can suffer in consequence. Making them responsible will make them careful, and render the governor's situation less dangerous and onerous. To whom ought they be made responsible? To the House of Assembly acting in the capacity of a tribunal. This check would lead the councillors to cultivate the good-will of the House, and would thus contribute to the peace of the country and the ease of the governor.

"The Canadian" has assumed in his chapter on the remedies proposed, that the interests of England and the colony are identical, and that if any institution were shown to be mischievous to the colony, no other argument was required to induce our government to abolish it. Reasoning on these premises, he has ingeniously and logically deduced his conclusions respecting the abolition of the Legislative Council. Now let it be understood that no argument has by us been built upon any such vain presumption. The matter is not between Canada and England, but Canada and England's aristocracy; the interests of these are not identical, neither is the government of this country of such a description, that any reasonable hope may be entertained of its pursuing a particular line of conduct merely because it will benefit the colony. No such expectation was entertained when the above suggestions were hazarded; a very different and much wiser course has here been pursued. When the abolition of the Legislative Council is recommended, proof is adduced that thereby more money will be put into the

pockets of the aristocracy; that the worth of the colonial appointments will be really enhanced, since the emolument will be increased, and the appointments rendered more peaceable. When it is objected that a House of Assembly, unchecked by a Legislative Council, would diminish the number and the salaries of beneficial places, we answer, not as "The Canadian" has done, that if such retrenchment were for the good of the colony, England would not oppose it. England's aristocracy would oppose it, and any appeals to their justice and honesty would be utterly useless. The proper and the correct answer is, that a House of Assembly would, under such circumstances, do no such thing; that alone it would have no more power to refuse the payment of offices than at present. That at present it may refuse to pay whomsoever it pleases; that nevertheless, the offices are not abolished; that its power in this matter is unconnected with, and unchecked by, the Legislative Council, and that if the Legislative Council were abolished to-morrow, no greater power than at present would, as regards England's interests, be conferred on the Assembly. The House hitherto has paid liberally, so long as they have been permitted to know what was done with their money, when this information was refused them, they refused supplies. And what was the use of a Legislative Council in the difficulty?—None whatever. The accounts were eventually rendered, and the late Receiver-general's chest was found deficient £.100,000. Of what service was this deficiency to the aristocracy in England?—None. The money did not find its way into their pockets. The Receiver-general was one of the Council, one of the local aristocracy, unconnected with that of England; in short, the £.100,000 was plunder wholly lost to the English aristocracy. It is plain, therefore, from this statement, that the check exercised by the House of Assembly alone would, with reference to England, be precisely the same as at present, neither diminished nor increased by the absence of a Legislative Council. The same check to the passing of laws obnoxious to the English ministry would exist then as now, the governor's *veto* would be as effectual as it now is, and would answer every purpose of the English government. Such is the only argument here used, because such is the only effectual argument.

Had the proposed alteration however, no other effect, than that of producing benefit to the aristocracy, the trouble of bringing it before the public, of explaining and enforcing it would not here have been attempted. That much good would be effected for the colony by the plan was obvious; that some profit would thereby accrue to the government here was equally

true, though not equally apparent: in the hope of inducing the government to pursue the conduct desired, which was desired only because of service to the people, the above explanation has been hazarded respecting the advantages resulting to the aristocracy. The real object in view however was the welfare of the colony. If any hope was entertained of obtaining that object through the instrumentality of the ministry, it was requisite to make them understand how the proposed method would benefit themselves. For that purpose and as a means to a better end, the method of advancing the sinister interests of our aristocracy has been dwelt on and explained.

In a future number the tenure under which the country ought to be settled will be considered in detail.

ART. IV.—*Memoirs of the Life and Times of Daniel De Foe.* By Walter Wilson, Esq. of the Inner Temple. 3 vols. 8vo. London. 1830.

MR. Wilson commences his elaborate performance with the grave establishment of two distinct propositions; the first of which affirms the utility of Biography, on the authority of Zeno, Plutarch, Dr. Johnson, and Lord Bolingbroke; while the second assumes, that the life of Daniel De Foe is entitled to be written. Backed by such respectable testimony, all the world will agree with the first of these averments; and, if it were only for the sake of Robinson Crusoe, no small number of ingenuous persons as unreservedly subscribe to the correctness of both. Such at least ought to be the case; for, in the face of his own spirited satire, on the appellation, De Foe was in the strictest sense of the expression, a True-born Englishman; not, of course, implying the bundle of ultra-toryism, bigotry and prejudice upon whom the epithet has been usually bestowed, nor even that pure quintessence of every thing open, honest, frank and generous, which Englishmen flatter themselves is peculiarly national; but a man whom English events, English experience, and English society, could alone produce and foster. Acute, undaunted, fertile and persevering, he resembled the Franklin of a later day, in the faculties of attentive observation, shrewd and accurate inference, and sterling good sense; and, like that celebrated individual, may be instanced as a remarkable specimen of the valuable texture of mind, the occasional production of which is so characteristic of the middling classes of Eng-

land. Even his fictions bear the same predominant features; and, to crown all, his very defects, both as a writer and a man, wear the same native English complexion.

It might be wished that the plan and execution of these desultory volumes were as defensible, as the claim of Daniel De Foe to biographical attention, but in truth, besides abounding in that British fault, which Madame de Stael significantly terms *les longueurs*, as regards the revival of worn-out circumstances, and the party-spirit in which they are concocted, they appear, in strict conformity with the advice of Dogberry, precisely "when there is no need of such vanity." In justice to Mr. Wilson, however, it must be observed that his book was written, if not published, before the repeal of the Test-act, and was evidently composed with the view of encountering a more strenuous resistance to that piece of strict justice and sound policy, than was really experienced. It may still however be asked, whether the manner in which the battle was likely to be waged, demanded the appearance of a running commentary on the controversy between high church and dissent, from the Restoration to the reign of George I. It is obvious, that for a long time past, setting aside silly and eccentric individuals, who are scarcely to be taken into account on any side, churchmen have rested their chief defence of the Test-act, upon the virtual enjoyment by Protestant Dissenters of all which they demanded, and the asserted principle that the very nature of an establishment required exclusive privileges. They have been signally defeated in regard to both these points; and it required but slight attention to the mighty march of circumstance to prognosticate that, whatever might characterize a session or two, such would be the result. The benefit, therefore, may be demanded, of an unnecessary revival of the absurdities of a certain period, on the subject of passive obedience, divine right, and the propriety of persecuting dissent under the name of schism; when, except as before excepted, every one had ceased to contend for anything of the sort. History, no doubt, must tell the truth of all seasons; but then it is required to tell the whole truth, whereas Mr. Wilson selects his era so as comparatively to sink the vagaries of his own side of the question. He may plead that he could not deal with the life and times of De Foe without bringing in these subjects. Granted; but they need not to have occupied an almost exclusive attention. Much of this, however, may be attributed to a very simple and innocent cause. It needs not be remarked to experienced readers, how frequently bookish men, according to their early habits and predilections, get utterly at the mercy of associations, connected with dif-

ferent periods in the history of their own country, and sometimes even in that of others; so as to be led to think more in the spirit of the favourite era, than of that in which they themselves exist. One person selects the days of Elizabeth and James; and every thing is to be judged of in reference to the standard and complexion of that celebrated period. The imagination of another is bewitched by the graceless revelries and wicked wit, which distinguished the blessed reign of his sacred majesty the second Charles. A few years ago, an elderly gentleman published a book avowedly to prove, that he possessed not a single idea which might not be traced to the reign of Anne; and here is poor Mr. Wilson, plunged up to the ears in controversies respecting passive obedience, divine right and other verbal delusions which have long ago departed to join the senses of Orlando, the bequest of Constantine, the decretals of Pope Sylvester, and similar nonentities in that beautiful satellite of ours called the Moon, which, according to the pleasant bard Ariosto, is the appointed receptacle of all such articles, when the earth has no more to do with them.

But it is not merely as fostering and retaining any injurious spirit of animosity, that we object to this recriminative and unoblivious spirit of assailment on old grounds of opposition and controversy; it proves equally injurious to the formation of clear and unprejudiced convictions in relation to affairs, not as they existed in the reigns of Charles, William, and Anne, but as they exist after a century and a half of additional experience. No person of sound sense will undervalue the study of history, that of his own country in particular, but it is equally clear, that no rational observer of the operation of time and circumstances upon human institutions, who attends to the incidental abuses which thence accrue, can avoid perceiving how favourable to those who profit by them, is the eternal grounding of principles and practice upon combinations of incident and maxims of policy which bear only some loose or general analogy to the present state of things. An overweening attention even to truths, when closely connected with particular times and circumstances, not unfrequently produces one of the worst operations of falsehood; by shutting out the qualifications and corrections which wider fields of contemplation and more enlarged experience are sure in the sequel to supply; to which it may be added, that mankind err not more certainly by neglecting the lessons of experience, than by improperly and untimely applying them. For example, it may safely be taken for granted, that one half the deliberative ratiocination of parliament, is occupied in a fruitless encounter with antiquated adages and com-

mon places, originating, not in the position of things as they are, but as they have been. Not that laws can be duly rectified without an attention to the past as well as present, but on the part of those, at least, who are duly anxious for an amendment, such consideration should always exhibit a proper subserviency to the fundamental principle which forms the primary criterion of their utility and propriety. It should be left to those exclusively who profit by abuses, to distract attention by sophisticated appeals to detected fallacies and perverted associations, and above all, to passions and prejudices, which have their source in political and religious animosities that no longer exist. It has already been observed, that history must tell its genuine tale, but its tone should be peculiarly calm and philosophical in relation to mistakes which have been rectified, and principles which have been virtually renounced. At all events, books should scarcely be written to keep alive unpleasant feelings upon exploded points and defunct differences, which might so much more profitably attend to things which live, exist, and have their being, at the present moment. Whatever Mr. Wilson may think of his own book—and we firmly believe him to be a very honest and conscientious writer—it is as decidedly a party production as we ever perused; for what other name is due to a registry of the most plain and incontrovertible positions on the one side of a question in array against the most absurd and time-exploded fallacies on the other; and that with little, or certainly with inadequate allusion to suppressed absurdity, in the former case, or to more rational pretensions in the latter. What will follow if these volumes become popular? A recriminative counter-statement adverting in precisely the same spirit to the absurdities of the puritans in the preceding era of the Commonwealth—and to what earthly purpose? If such continue the practice, when will peace and good-will take place among men, or that race of Christian benevolence be run among different classes of religious theorists, the foremost object of which is to be of benefit to all mankind? It is not for a moment contended, that in return for tardy justice, the Dissenter is either to relax in a single conscientious principle, or to abate in any sort of prudent watchfulness, which may be essential to his future liberty or independence; but merely that an eternal recurrence to disputes and animosities which time has completely settled can do neither. A contemporary, indeed, applies the phrase, "happy iteration" to Mr. Wilson's labours, the grounds of which observation are sufficiently obvious. Neither need people be much at a loss to discover why the undeniable truth—that to religious dissent England is mainly

indebted for the share of political liberty which has fallen to her lot—is qualified by a lament, that when Dissenters have no cause of complaint, "and the zeal which has been kept alive by hard usage and penal laws, subsides into indifference and scepticism, there will be no leven left in mere feebler opinions, strong enough to throw off the pressure of unjust and ruinous power."* This is a very expressive dirge from the quarter in question over the declining influence of a party, which has for so long a time assumed and profited by the patronage of the sufferers, "by hard usage and penal laws," and that not unfrequently to the advancement of far more personal objects than opposition to "unjust and ruinous power." The growth of a large and influential portion of the population at once out of oppression and pupillage, is doubtless distressing; but let us indulge in a hope, that this great religious struggle being set at rest, honest people whose spirits and faculties have been so naturally engrossed thereby, may find leisure to pay attention to flagrant usurpation and abuse of power of another kind; that oligarchical monopoly and rapacity, may be repressed as well as kingcraft and priestcraft, both which evils it has engulphed within itself as the whale swallowed Jonah. It would be melancholy, indeed, if the general sense of mankind should remain obtuse to every other tyranny but an interference with creeds; or that persecution were the only antidote to *indifference and scepticism.* What is there in the existing aspect of society which bespeaks all this apathy? Great meliorations are taking place all over Europe, in which religious conflict has little or nothing to do; and how decidedly the remark may be extended to both the Americas, it would be almost ridiculous to dwell upon. Even in our own country we discover no absolutely discouraging indifference to these points, although there may be much to the minimum of distinction between the theoretical Whig and the practical Tory, who seem to be fast dissolving into one and the same being, like the too amatory nymph and the reluctant swain in the Metamorphoses. The most graceful part of Othello's occupation has doubtless terminated in the repeal of the Test Act, and the passing of the Catholic Relief Bill, and be it added, very honorably and consistently so far as regards those particulars; the world will still go on, and people be found anxious to redress unequivocal grievances, even if every man be not only allowed to go to his own chapel without the abatement of a single privilege, but be spared every sort of pecuniary infliction for the support of those of other people.

* See Edinburgh Review, No. C. Art. "Life and Times of De Foe."

When Signora Cuzzoni once made an extraordinary ad libitum flight in the performance of an air in one of Handel's oratorios, that great composer on her return to the original music loudly exclaimed, "Welcome home again, Madam." Having thus far discharged our conscience, a brief attention to the light thrown by Mr. Wilson on the life and character of De Foe, will more agreeably engross the remainder of this article. Daniel De Foe, or rather Foe, for the *de* was a self-assumed addition at a mature period of life, was the son of James Foe, a respectable butcher, resident in Cripplegate, where the former was born in 1661. His grandfather, of the same name, was a substantial yeoman, who farmed his own estate at Elton in Northamptonshire; which, it is supposed, in the sequel descended to his namesake and grandson, who is known at one time to have possessed property in land. The Northampton yeoman, it seems, was of the royal party; but the father of De Foe, who is thought to have been a younger son, was a strict Presbyterian nonconformist, who brought up his son in the same persuasion, and even in the first instance intended him for the ministry. What set aside this destination does not appear; but from De Foe's description of himself, as a lively pugnacious boy, added to some other indications of an ardent and volatile temperament, it may be suspected that he might not evince the gravity deemed necessary for so serious a profession among so serious a people. He appears to have received the chief part of his education from Mr. Moreton, a dissenting divine of eminence, who subsequently emigrated to America. According to his own account, he made acquirements under this gentleman in five languages, and studied the mathematics, natural philosophy, logic, geography, and history. As might be expected, that which is usually called polite literature occupied a comparatively small share of attention in dissenting seminaries; and, accordingly, the literary works of De Foe, and especially his poetry, exhibit the kind of deficiency to be thence anticipated. As the time usually appropriated to a finishing academy, like that at Newington Green, was from the age of fourteen to nineteen, De Foe commenced his long career of authorship soon after he quitted his studies, his first pamphlet, intitled "Speculum Crape-Gownorum," being written at the age of twenty-one. It was a satire on certain weak points in the preaching and conduct of the clergy of the Establishment, and many of the practices ridiculed, being dexterously borrowed from Eachard's "Grounds and Occasion of the Contempt of the Clergy;" this banter, under the sanction of such authority, could not be easily refuted. His next essay was in advocacy of the propriety of

supporting the emperor of Germany against the Turks, notwithstanding his merciless persecution of his protestant subjects of Hungary, on the principle that the progress of Turkish power would be indisputably a greater calamity. This was an enlarged, if not a correct view of the question; time, indeed, has shewn that Turkish ascendancy was even then upon the ebb, but nothing is more excusable than mistakes of this nature. All Europe, for half a century, was in dread of the declining power of Spain, when all its real danger was connected with the rising ascendancy of France. At the age of twenty-four De Foe took a step which is highly significant of the prompt and impulsive character of the man, by running away to the west, and joining the rash expedition of the ill-advised Monmouth, from which he cleverly contrived to extricate himself after its failure, and to return in safety to London. He soon after embarked in business as a sort of agent or factor between the London hosiers and the country manufacturers, and being free by birth, took up his livery as a citizen of London. This happened in 1687-8, on the eve of the Revolution, a crisis when neither stockings nor citizenship could keep De Foe from pen and ink, and accordingly he joined the numerous literary assailants of the Dispensing power. How close a supporter he was of king William and his measures is evinced in his rough but nervous satire of the "True Born Englishman," which is probably the best known and most complete of his political satires; but in fact, during the whole of this reign, his pen was never out of his hand, and it appears that towards the close of it he was honoured with personal interviews by William himself. As might be expected, this political engrossment added more to his celebrity than his fortunes; having engaged in the Portuguese and Spanish trade, he lost a vessel by shipwreck, and from one cause or other miscarried in business of two or three descriptions. He committed some errors in his attempts to retrieve his affairs as most falling men do, which faults he candidly acknowledges. They could not however have been very unpardonable as he was not made a bankrupt, and his creditors agreed to take his own personal security for the composition. What is still more to his credit, after being fully discharged, he continued to pay to the extent of his power to the amount of some thousand pounds. The fact is equally characteristic, that while in this state of depression, he occupied himself in projecting ways and means for the government, which obtained him a small place and other countenance, restoring him to comparative competence. The memory of William after his death is stoutly defended by De Foe, as his conduct had been

during his life, and the paroxysm of high-church folly which ensued, rapidly discovered with what reason; at least on the part of a whig and a dissenter. In the commencement of the reign of Anne he involved himself with his dissenting brethren by his pamphlets against "Occasional Conformity," or in other words, on occasional communion with the church of England, with a view to obtain corporate and other offices; and being, strictly speaking, in the right, the anger excited was proportionably violent. About this time brother Martin began to amuse himself with a species of tirade from the pulpit, upon the duty of compelling people to come in, that would have done honour to lord Peter in his highest exaltation. Unluckily for himself, but fortunately for common sense and the more rational lieges of the realm, De Foe grew big with satire on this occasion, of which he was delivered in the shape of a piece of irony, so admirable and effective that it disposes us to enter a caveat against the justice of Swift's dexterous compliment to himself in paying one to Arbuthnot:

'Arbuthnot is no more my friend,
Who dares to irony pretend,
Which I was born to introduce,
Refined it first, and shewed its use.'

Nothing could be more Swiftian than "The Shortest Way with the Dissenters," the humour of which consists in an apparently serious advocacy of all the schemes and proposals of the more absurd high-churchmen, to put an end to toleration. As this seasonable satire led to a remarkable era in the life of De Foe, a few extracts from Mr. Wilson's account of it will be found amusing:

'In the piece of exquisite irony produced by De Foe upon this occasion, he so artfully concealed his design, that all parties were at first imposed upon. He began with such bitter reflections upon the Dissenters, and their principles, that it was for some time taken to be the work of a violent churchman, and met with applause from some of that party in the two Universities. He tells his readers, "It is now near fourteen years that the glory and peace of the finest and most flourishing church in the world has been eclipsed, buffeted, and disturbed by a sort of men, whom God, in his Providence, has suffered to insult over her, and bring her down. These have been the days of her humiliation and tribulation. She has borne, with an invincible patience, the reproach of the wicked, and God has at last heard her prayers, and delivered her from the oppression of the stranger. And now they find their day is over, their power gone, and the throne of this nation possessed by a royal, English, true and ever constant member of, and friend to, the church. Now they find that they are in danger of the Church of England's just resentment, they

cry out, peace, union, forbearance, and charity; as if the church had not too long harboured her enemies under her wing, and nourished the viperous brood, till they hiss and fly in the face of the mother that cherished them. No, gentlemen, the time of mercy is past; your day of grace is over; you should have practised peace, and moderation, and charity, if you expected any yourselves.'—Vol. ii. p. 51.

'The first execution of the laws against the Dissenters in England, was in the days of King James I. And what did it amount to? Truly, the worst they suffered was, at their own request, to let them go to New-England, and erect a colony, give them great privileges, defend them against invaders, and receive no taxes nor revenue from them. This was the cruelty of the Church of England. Fatal lenity! Had King James sent all the Puritans in England away to the West Indies, we had been a national, unmixed church. To requite the lenity of the father, they take up arms against the son; conquer, pursue, take, imprison, and at last put to death the anointed of God, and destroy the being of government! In the days of King Charles II. how did the church reward their bloody doings with lenity and mercy? King Charles came in all mercy and love, cherished them, preferred them, withheld the rigour of the law, and often-times, even against the advice of his parliament, gave them liberty of conscience. And how did they requite him with the villanous contrivance to depose and murder him and his successor, at the Rye-plot? King James II., as if mercy was the inherent quality of the family, began his reign with unusual favour to them. Nor could their joining the Duke of Monmouth against him, move him to do himself justice upon them: But that mistaken prince thought to win them by gentleness and love. How they requited him all the world knows.'—Vol. ii. p. 52.

'Here is the opportunity, and the only one, perhaps, that ever the church had, to secure herself, and destroy her enemies. If ever you will establish the best Christian church in the world; if ever you will suppress the spirit of enthusiasm; if ever you will free the nation from the viperous brood that have so long sucked the blood of their mother; if you will leave your posterity free from faction and rebellion—this is the time. This is the time to pull up this heretical weed of sedition that has so long disturbed the peace of our church, and poisoned the good corn. But, says another hot and cold objector, 'This is renewing the fire and faggot; this will be cruelty in its nature, and barbarous to all the world.' I answer, 'tis cruelty to kill a snake or a toad, in cold blood, but the poison of their nature makes it a charity to our neighbours to destroy those creatures, not for any personal injury received, but for prevention: not for the evil they have done, but the evil they may do. Serpents, toads, vipers, &c., are noxious to the body, and poison the sensitive life; these poison the soul, corrupt our posterity, ensnare our children, destroy the vitals of our happiness, and contaminate the whole mass. Shall any law be given to such wild creatures? Some beasts are for sport,

ence of the celebrated Tory secretary Harley, on whose representation, his wife and family received pecuniary relief from the queen, who also supplied the money for his fine and expenses. This can scarcely be called a disinterested proceeding, the object being evidently to neutralize his writings as regarded the new cabinet; and so far in a negative way the proceeding possibly availed, but certainly to no very unpardonable extent. The choice of him by Harley to proceed to Edinburgh as a confidential agent to advance the interests of the projected Union with Scotland exhibits a reliance upon his capacity which was very honourable to the man; nor did the event throw any discredit upon this confidence, for he seems to have acted with great efficiency on the occasion, however poorly or temporarily rewarded. It was not until the approach of the Treaty of Utrecht that his connexion with the Tory minister seems to have produced any very apparently well-grounded subject of reproach, on the part of his personal enemies; and even then it was not because he defended that bungling and discreditable Treaty, but that he felt himself restrained from his usual liberty in its condemnation; although in the sequel he did condemn it, and that without disguise. The manner in which poor De Foe was treated by the whigs, to whose cause he had been so generally serviceable, affords, indeed, a melancholy instance of the stupidity and rancour of mere party animosity. It is scarcely credible that soon after, at whiggish instigation, an attempt was made to involve him in the crime of high treason for writing three mock addresses in favour of the Pretender, the irony of which, after the warning afforded him by the "Shortest Way with the Dissenters", he had rendered so palpable that sheer fatuity or malignity alone could either misconceive it or affect to misconceive it. Such however was the perseverance of his enemies, his ministerial friends thought it most advisable to cover him by a formal royal pardon, to which event he alludes with considerable humour. His defence of a proposed commercial Treaty with France, on grounds which exhibit the clearness of his ideas on that subject to great advantage, and which might be owned by Mr. Huskisson himself, brought on a still greater torrent of enmity and abuse; until at length the accession of George I., which he strenuously supported, by depriving him of every species of protection, drove him from politics altogether. His spirit seemed at last to give way to so much unrelenting enmity, and a slight fit of apoplexy ensued, an event which rendered an appeal, which he soon after published, in defence of his conduct and writings more particularly impressive.

If at all correct, certainly no man seems to have less merited the ill-treatment he received from the party to which he was most attached. Setting aside his employment by Harley, although, so far as can be shown, in no business which compromised a single particle of honour or principle; the reasons of offence against him were simply that on a few occasions of expediency he differed in opinion with those on whose side he was self-enlisted, and thought fit to record it. Party allows of no private opinions, and no writer is highly valued by one, who goes not implicitly with the crowd. Every thing exceptive is at best deemed an impertinence, and resented accordingly. If subsequently proved to be right, as was generally the case with De Foe, the offence is only rendered so much the worse; what right has any man to see clearer than his fellows? Oh, if more compliable literary partizans would now and then withdraw the curtain of their experience, what exhibitions of human nature of this curious description might they not disclose!

At this time De Foe was on the verge of threescore, and began to be afflicted with both the gout and stone. Is anything further necessary to prove the rich mental resources of the man, than that he forthwith commenced his career as a writer of fiction, to the production of one work at least, that will never die, and of many more which show him possessed of the very first order of inventive power if not always felicitous in its application. But of these more anon—to carry on this very slight outline of a life so active, it may be added that the remainder of it was occupied in writing for his daily bread; that he lived in a house of his own building, at Stoke Newington, in comparative credit, interrupted, however, by legal embarrassments, which at one time subjected him to a temporary imprisonment for debt—that in addition to other evils, he had to endure the pang which "is sharper than a serpent's tooth" in the base deportment of a son to whom he had assigned property for the general benefit of the family, and that he ultimately died at the age of seventy, on the 24th April, 1731; not at Stoke Newington, but in the parish of St. Giles, Cripplegate, where he first drew his breath. Meagre as are the accounts, which even the industry of Mr. Wilson has been able to amass, relative to the private life of De Foe, they would have been much more so as regards the latter part of it, but for the marriage of his younger daughter Sophia to the celebrated naturalist, Henry Baker; who left behind him papers recording several anecdotes of the circumstances which followed his introduction to the family, at

Stoke Newington; and which occurred during the period of a courtship, which lasted for a year or two.

Slight and unsatisfactory as are the particulars, which can be acquired of the precise complexion of De Foe's private conduct; and whatever suspicion may be entertained that a life of such continual trouble and embarrassment, must be connected, more or less, with great personal imprudence, there is no want of materials to judge of him as a writer and public man. We began by regarding him as an individual of a description, which, at the period in which he lived, England alone could produce. This may be observed generally of the pamphleteers and journalists of De Foe's day, but more especially of himself, the qualities of whose mind were as national as his application of them. It is well remarked by Mr. Wilson that posterity is almost uniformly niggardly in its due estimation of the political writers, who have been most useful in their generation, a truth of which the rank for a long time past assigned to De Foe supplies a notable example. How few, even among well-informed persons know, or care to know, more of him, than that he was the author of "Robinson Crusoe." A certain number of amateurs of native English invention extend their acquaintance to some of his miscellanies and ingenious fictions; but scarcely one in ten thousand cares a jot for political controversy, which, however serviceable in its day, or productive of lasting benefit, neither can, nor ought to, engross any large share of attention, as times and circumstances alter. De Foe's is no doubt an extreme case because few writers on temporary topics have discovered so much general acuteness, and thrown out so many valuable hints, several of which have been subsequently adopted; whilst others, in respect to trade and kindred matters, are sanctioned by the strongest authorities now existing. Still we can anticipate no possible benefit to any but the annalist or historian, in a long course of desultory reading for a certain number of sound convictions, which may be obtained with far less time and trouble from more direct and modern sources. So much in advertence to a reported intention of republishing the whole of the works of De Foe, who, in his capacity of party writer and journalist, must submit to the common lot; and so far, as Dr. Paley might say, become a sacrifice to the good of his country. Some things must be forgotten at certain times, to make room for a due entertainment of others; and whatever its occasional value to the historian or biographer, the general reader can possibly spare nothing better than the battling of even the ablest partizans, during a period of great political

excitement, especially when time has tolerably well settled the various points in dispute. Moreover, although De Foe, like many of his less clear-headed brethren, had been persecuted into a perception of the justice and necessity of toleration, there is reason to believe, that neither he nor they, carried the doctrine of religious liberty to the only sound and equitable extent which forms its natural *ne plus ultra*—that civil rights are not to be made dependent on creeds and professions of faith. This says little against the man, but it is wholly useless to direct general attention to argument in detail, which the spirit of Society has so completely passed by.

A portion of the miscellany of De Foe is open to similar objections, although not in so great a degree. It is highly to the credit of this active and ingenious man, that whether derived from him or not, a number of hints in his "Essay on Projects;" and other productions have been carried into execution, among which that of Savings Banks and a London University form striking instances; but, after all, as reading of the present day, they would afford little that is not well known, and of that little a portion that has not stood the test of subsequent investigation and experience. Upon the worthlessness of a portion of this miscellany it would be loss of time to dilate; not that we are misled by the title pages *ad captandum* to which it must be presumed that the poverty, rather than the will, of the harassed author consented. One great fault in several of them is, that they are formally written down to, not only the understanding, but the prejudices of the vulgar. With respect to Essays on Apparitions; Systems of Magic, *et hoc genus omne,* this is self-evident; although Mr. Wilson labours to prove that De Foe was himself a believer in a kind of spiritual agency. Query, was not this a mere addition to the bait? But, setting aside productions of this palpable class, it is but too probable that something similar may be predicated of his "Complete Tradesman," "Strictures on the Conduct of Servants," "Use and Abuse of the marriage Bed," &c.; which, while they exhibit the extraordinary faculty which he possessed of thinking in the vein of the most sober portion of the active and industrious classes, also convey the idea of a direct intention to make a profitable use of it. The result, as might be expected, is the adulteration of a considerable portion of good sense, with the prejudices and common-places of the persons more immediately consulted. "The Complete Tradesman" has no small portion of this alloy; but his complaints of servants amount to nothing more than what ever have been, and ever will be, the back-parlour wailings of many under a

certain class, who keep them. Who has not heard honest souls of the feminine gender wonder what the world would come to, because female domestics carried their arms covered; and others express a similar curiosity in respect to the termination of all things, because they adopted long sleeves. Curls, ear-bobs, and necklaces seem to be the present grievances; in De Foe's time the serpentine temptation consisted in laced shoes instead of leathern ones; woollen hose with silk clocks in lieu of yarn; and the exchange of pattens for leathern clogs. This sort of republication can scarcely be wanted; it may be doubted if even the "Religious Courtship," and "Family Instructor," ingeniously and dramatically composed as they are, are calculated for being either very serviceable or very attractive in the present day; certain it is, that the lessons, even when sound and unobjectionable, might be conveyed in a manner much better adapted to it.

We now come to the merits of De Foe as a writer of fiction, in respect to which, if in a certain sense his domain was confined, he was a mighty magician indeed. No writer upon earth ever exceeded him in a mastery of those thoughts which come home to the business and bosoms of the general run of mankind, and of course when he presents such, he is the very genius of verisimilitude. This confinement as to character by no means implies a similar restriction as to circumstances, of which his Crusoe is a special instance. The great beauty of that exquisite fiction, consists, not in the hero, but his situation, and the admirably natural manner in which he is made to adapt himself to it. Human sympathy attends his every action, and the simple and natural pathos of a plain unsophisticated man on the sublimity and awfulness of perfect solitude moves more than would all the feeling and eloquence of Rousseau had he attempted a similar story. No wonder this tale is translated into all the European languages, and even into Arabic as we are informed by Burkhardt, although that people possess a sort of Crusoe, in "Hai Ebn Yokdan," of their own. It will be in vain to contend for anything like the same merit in Moll Flanders, Captain Singleton, Colonel Jack, and Roxana; yet it is, in part, of the same description. We advert to the singular truth and correctness of the individual portraiture. Whether it is possible to benefit the world by veritable likenesses of harlots, pirates, and sharpers, may be doubted; but, it is something to have them exhibited in their native deformity, without being sentimentalized into Gulnares, Conrades, and interesting *enfans perdus* of that Byronic description. Whatever caveat may be entered against these produc-

tions, that first rate sign of genius, the power of imagining a character within a certain range of existence, and throwing into it the breath of life and individualization, was a pre-eminent mental characteristic of De Foe. This was equally well shown in the mock memoirs of a Cavalier, of Captain George Carleton, Captain Roberts; and above all the rest in "A Citizen's Account of the Plague," which deceived Dr. Mead, as did the memoirs of Carleton, Dr. Johnson. We will not contend for the strict morality of giving fictions to the world, with all the solemn pretensions of matter of fact; but, however this may be settled, the inventive genius of De Foe remains the same. One remark however must not be omitted; and we wish Mr. Wilson had spared us the trouble. There can be no absolute justification of an endeavour to aid the quackeries of an impostor like Duncan Campbell, or of assisting the sale of a dull, religious book, by inventing a ghost story, by way of introduction and puff, like that of the appearance of the ghost of Mrs. Veal to Mrs. Bargrave. It is impossible to attend to the complete manner in which he adapted himself to the intellects of the tribe to whom the bait was offered, without a smile; but the exquisite keeping and genuine nature, with which the fraud was concocted, will not, in a moral sense, atone for it. And perhaps it is to a little undefensible latitude this way, and in his very objectionable title pages, that he owes a portion of the affected contempt of Pope, Swift, and Co. It would in fact depreciate character in any age; and with all due allowance for the misfortunes and depressions of an ill-treated and ingenious man, it ought to do so, although not exactly justificatory of the manner of the wits aforesaid. And, after all, more tricking, shuffling, baseness and equivocation have been displayed in a single East Retford debate, than by poor De Foe in the whole of his long and harassing career.

To conclude: although not agreeing in opinion with Mr. Wilson, as to the utility of so much attention to exploded controversy; either in the way of partial or complete republication; we are decidedly with him as to the general merits of De Foe, whom we deem a highly-gifted, possibly an imprudent, but certainly an ill-treated, man. Whatever be the defects of such men, it will be a bad sign for England when the middle ranks cease to supply individuals of the same tenacious description. Happily there is no great fear of this at present; while there is every reason to hope, that a course of education is in progressive diffusion, which will double their opportunities for showing talent, while it proportionally magnifies the probability of not showing it in vain.

ART. V.—1. *A Greek and English Lexicon for the Greek Classics in general, &c.* By the Rev. Greville Ewing. Third Edition. Glasgow. Printed at the University Press. 1827.

2. *A Greek and English Lexicon, &c.; considerably enlarged and carefully revised.* By the Rev. John Groves. Third Edition. Glasgow. 1829.

SINCE the Greek and German Lexicon of Schneider, and the Greek and French Lexicon of Planche, have been used with advantage by the respective nations for whom they were intended, an opinion has been slowly but surely establishing itself in England, that we too ought to have Greek and English Lexicons. The necessity which once existed for interpreting Greek through the medium of Latin no longer exists: the Latin has ceased to be the general language of the learned; and, except in a few strong holds where prejudice still fights against reason, the Latin, as the medium of interpretation, is abandoned for the mother tongue.

This is a great step towards improvement in education. Our early years are spent over the study of the Latin and Greek; it is a fashion we have inherited, and we could not lay it aside suddenly, even if it were desirable to do, so. As Latin and Greek must, then, form the basis of our public education, it is to be hoped that all zealous instructors will betake themselves to the best means of accomplishing what has always been professed, but has never yet been done; namely, the teaching of these languages in such a manner, that a student may read any Greek or Latin author with pleasure and advantage. To do this effectually and certainly, the Greek language must be interpreted by means of the English; and the Latin must be used in Greek instruction in no other way than for the purpose of etymological comparison, and occasional illustration.

Besides the two Lexicons, a brief examination of which is proposed, a translation of Schrevelius, together with the Lexicons of Jones and Donnegan, has been some time known and used: it is sufficient to mention this, and the fact of Groves and Ewing having each attained a third edition, to shew that a great change has been effected in our public education.

But it is not enough to make a new thing; unless it be also a good one, we gain little by the change. Though an English word is put instead of a Latin one, we get no new knowledge, unless it be a more exact and definite term than that which it displaces. If the general principles of Lexicography are no better understood by modern compilers, than by the original framers

of Lexicons, the public will derive but small benefit from changing the medium of interpretation.

The true basis of all Lexicography, particularly in the Greek and kindred languages, is an examination of the etymological structure of these tongues. This examination is founded on a comparison of words; and for the purpose of comparing words with precision, we classify them according to their terminations. For the Greek language this has already been done in the "Dictionarium Analogicum Græcæ Linguæ" of Hoogeveen, printed at Cambridge in 1810; a work which, with an unpretending title, comprehends materials indispensable for the Lexicographer and Etymologist. In this Lexicon, all the words of the Greek language are arranged according to their terminations in a reverse alphabetical order: the only thing in which it differs from other Lexicons is, that we read from the end of a word towards its beginning. For example, all the adjectives in *-ινος*, as *λιθ-ινος*, *πηλ-ινος*, &c. are found together under the letter *ς*: all the verbs in *ανω* as *λανθ-ανω*, *λαμβ-ανω*, *μανθ-ανω*, &c. are found under the letter *ω*.

A comparison of many words which have the same termination leads us to observe, that most words are formed of two parts that are easily separable; one the element or root, the other a suffix or part appended. The root is that element which has a general meaning; the suffix is that which modifies the meaning of the element to which it is attached, itself having probably once been an integral and significative element.

An example will make this intelligible. The Greek element which signifies *to give* is *δο* or *δω*: for nearly every root admits both the long and short vowel; the usage of one in preference to the other being merely a euphonical consideration. Thus we have, *δι-δω-μι*, *I give*; *δο-τος*, *given*; *δο-τηρ*, *a giver*; *δο-σις*, *the act of giving*; *δω-ρον*, *a gift*.

The most common form of a root is that of two consonants with a vowel or vowels between them, as *σπειρ*, to sow; *λαβ*, to lay hold of; *παγ* or *πηγ*, to peg or fasten. A general expression for all roots may be easily exhibited: the forms *ι* and *σπ ι κτ*, which are, respectively a single vowel, and a vowel between pairs of consonants, contain nearly every possible form of a root. The possible forms, then, are *σπικτ*, *σπικ*, *σπι*, *πικτ*, *πικ*, *πι*, *ι*, *ικ*, *ικτ*; the form *σπ* occurs as a root occasionally, when, for euphonical considerations, the short vowel between the two consonants is dropped.

Every word, then, which admits of a probable explanation, contains something in it by which the family to which it belongs is recognised; its particular rank, station, and duties in the

family are indicated by parts prefixed or suffixed. As in all languages, sounds and their representatives are modified by the other sounds with which they are placed in juxta-position, it is necessary to observe well these modifying causes for the purpose of detecting the root. Thus in λαβ-ρος, λα(μ)β-ανω, λημπ-σομαι, λημπ-τος, ληφ-θεις, λημ-μα, there is the same element λαβ or ληβ modified by circumstances; the μ in λα(μ)β-ανω is a euphonic and necessary insertion analogous to the ν in λα(ν)θ-ανω, the γ in τυ(γ)χ-ανω, and in κι(γ)χ-ανω.

It is the business of the Lexicographer to exhibit the root of each word in a manner so distinct, that it may strike the eye of a learner, and show itself clear and detached from all appendages and trappings. When the roots of a few words are well understood, the pupil easily recognises them in other examples, and being acquainted with the modifying nature of the suffixes or prefixes, he assigns a meaning to new words without the trouble of consulting a Lexicon. In this way it is not necessary to learn every word separately; if a pupil knows the tests by which a word is to be tried, he ascertains, without the aid of books, the general meaning of the word, and the exact limits of attainable knowledge on the subject.

Suppose a student to be acquainted with the element βαλ which exists in βαλλω, and all forms of that word; he will recognize it easily in βολ-ος, λιθο-βολ-ος, βελ-ος, ε-βαλ-ον, &c. In βλ(η)τος, βλ(η)θεις, &c. he may not discover it at first; but a comparison of these forms with κλ(η)τος, κλ(η)θεις, τμ(η)τος, τμ(η)θεις, &c. will show him that a similar omission of the short vowel takes place in the roots καλ, τεμ, &c.

The consonants, in fact, are the frame work of the word, and the vowels comprised between admit of many various forms: belonging to the root σπειρ *to sow*, we have σπορ-α, *a sowing*; σπαρ-τος, *sown*; σπερ-μα, *seed*; connected with τεμ *to cut*, we have τομ-η, *a cutting*; ταμ-ιας, *a divider and distributor*; τμ(η)τος *cut*, &c.

It is the business of the Lexicographer, then, to indicate in each word what is that element which makes it essentially different from other words; this is not yet done in any Lexicon, except in a very imperfect and inexact manner.

Another part of a Lexicographer's business is to endeavour to assign to each root a definite and comprehensive corresponding English word, and then to deduce, in a natural order, from this primary notion, the secondary and other derived significations. The advantage of such a method consists in the greater facility with which the various uses of one word is learned, when its remoter significations are deducible by a natural association *from one striking* and easily-remembered meaning.

Those meanings of words which may be termed primary appear to be expressive of the sensations which we experience from the immediate operation of physical objects: a very large number of them are nothing more than the imitation of natural sounds. To express the compound and complex ideas which are the result of a mental operation, we either require a new set of words, or we are compelled to use words already existing; in the latter case we apply them in a new manner, and give to them meanings which are metaphysical. No absurdity can be greater than that of assigning to a Greek word a variety of significations arranged in no order, and each differing from its neighbour by no definite and decisive mark. In general it will be found that three or four English words are all that are wanted, unless the word represent a thing of that kind which must be described rather than defined.

Let us see how the two Lexicons under consideration fulfil the conditions required: we will begin with the word δικη.

"Δικη,-ης, ἡ, Dica a deity supposed to preside over justice: justice, right, equity: an action at law, indictment, cause, judgment, decision, punishment, vengeance, vindictive judgment."—*Ewing.*

Groves has "justice, rectitude, equity; law; an indictment," and sixteen significations besides; and not a single one among them that presents a distinct and intelligible idea. The word δικαιος of course signifies "just, upright, righteous," in which three words both Lexicographers agree, one having copied from the other or both from a common original: Groves, however, is the more prolific in words, and, as usual, the less productive in sense.

Neither of these Lexicographers has discovered the true meaning of δικη, which is "an equivalent," "a compensation"; from this notion is derivable every usage that the word possesses. It is rather singular that a certain adverbial usage of the accusative δικην did not lead them to its true meaning: "δικην (viz. κατα) according to justice, like"—*Ewing.* "δικὴν, (viz. κατα) in the usual manner, according to custom, usually"—*Groves.*

When the Watchman, in the Agamemnon, says that he keeps his station κυνος δικην, *like a dog;* there is no difficulty in deriving this from its primary meaning, but it would require some torturing to deduce it from a word so unintelligible as *justice,* or *right.*

Herodotus [II. 149.] uses the word δικαιός in that primary sense which we attribute to it: αἱ δ' ἑκατον οργυιαι δικαιαι εισι σταδιον ἑξαπλεθρον, *a hundred orguiæ are exactly equal to a stadium of six plethra.*

Let us examine some of the words, which contain the element ακ, *a point:* we have ακ-η, ακ-ις, ακ-μη, ακ-ων, ακμ-αιος, ακμ-αζω,

&c. It is a fact, which it is important to notice, that when we form a word such as ακ-μη, by adding the suffix μη, we may consider ακμ as a new element, from which are formed the secondary words ακμ-αιος, ακμ-αζω, by subjoining their respective suffixes. According to the explanation [See Ewing], ακμαιος comes from ακμαζω, and ακμαζω from ακμη, and ακμη from ακη: this explanation does not lead a pupil to observe the *one* element which is the basis of all.

"Ακην (from α and χαινω) silently, without ostentation, quietly."—*Ew.*

Groves has the same etymology, and twice as many significations, and, of course, twice as many blunders. Both of these Lexicographers ought to know that the word would be αχανδον, *not gaping*, which has no connection with the word ακην. The Homeric formula ακην εγενοντο σιωπη, should be translated, "they were silent all at once, suddenly, or completely;" and this usage of the accusative differs not at all from those of αρχην, δικην, ακμην.

From being totally unacquainted with the etymological structure of this language, our Lexicon-makers fall into blunders, which would be detected by a youth of twelve years of age, who has been instructed in a proper manner.

The most ill-used word in the whole language is ἱστημι and its relations. "Ἱστημι...(from ἱσταω) I set, place, stand, remain, &c."—*Ewing*. Hence the student will translate ἱστημι, either *I place*, or *I stand*, whereas these different significations belong to different forms of the verb, which are never confounded. Groves begins thus, "Ἱστημι, to set, place, pitch, plant;" and for the sake of making every thing simple and easy to beginners adds forty different significations, many of which depend entirely on certain words with which this verb is associated, and are unintelligible without particular examples.

The formation of ἱστημι may be thus explained: most of the verbs in μι consist of the pronominal suffix μι, the element or root, and what is usually termed the reduplication. Take as examples δι-δω-μι, πι(μ)-πρη-μι, τι-θη-μι, &c.: the μ in πιμπρημι is euphonic, as in λαμβανω, &c.; and in τιθημι the unaspirated consonant is used in the first syllable instead of θ. As στα or στη is the root of ἱστημι, the regular formation would be σι-στη-μι, analogous to the Latin si-sto; but this is adequately represented by ἱ-στη-μι, the aspirate being often equivalent to σ.

The word ἐπισταμαι, *I know*, is formed, according to Groves (who dearly loves an old orthodox etymology), from επι and ισημι; how the τ crept into the word he has not explained. Ewing says it is Ionic for εφισταμαι, by which he means to say,

when fairly interpreted, that the word is not used by Xenophon or Thucydides. Now, ἐπι-στά-μαι, *I stand on*, ἐπι-στη-μη, *on standing*, and ἐπι-στη-μων, *an on stander*, explain themselves very simply without the theory of either of our Lexicographers, and are quite as intelligible as our word *under-stand*.

A great evil in all Lexicons is the number of imaginary words which they contain; as all new Lexicons must in some measure be founded on existing Dictionaries, errors which were introduced two centuries ago are constantly repeated, and it is often no easy matter to decide if a word found in the Lexicon be really discoverable in any extant Greek author.

When the student has been taught to classify all words according to their terminations, he will perceive that most of those verbs called irregular are as free from all irregularities as many of those verbs that are termed regular; and more so than some of them. By comparing γι-γνω-σκω, βι-βρω-σκω, πι-πρα-σκω, &c. he learns that the first syllable is a reduplication common to many words in σκω and μι, that σκω is the verbal termination, and that the respective elements are γνω, βρω, and πρα. The characteristic of the future is σω or σομαι: he knows then at once, without further investigation, what are the general forms of the future; and the possible form of any other tense is just as easily ascertained. We say the *possible* form, because all Lexicons abound with many *possible* and perfectly analogous forms of verbs, which cannot be found in any of our existing books.

According to the common and traditional mode of explanation, γιγνωσκω is referred to a verb γνοω, or γνωω, which never did exist; but yet the pupil is taught to believe there was once such an *old* word. We are informed by Ewing that λαμβανω comes from ληβω: but there is no such word as ληβω, and there is no proof or probability that there ever was. If the element of λαμβανω be λαβ or ληβ, this no more proves the existence of ληβω, than it does that of ληβη, or ληβον, or ληβως, or ληβ with any other termination, possible or impossible. It is no apology to say that the pupil may be told that ληβω is merely imagined for the purpose of explanation: there is no occasion to imagine what is not true, and to instil an error which remains rooted in the memories even of many who pride themselves somewhat on Scholarship.

A few more examples of words in which the etymologies or the meanings are incorrectly exhibited will be appropriate here. All Lexicons must agree in many particulars, and in the greater number of examples where error is hardly possible, all Lexicons may be equally correct: it is only by selecting words which are

imperfectly explained that we can draw attention to those radical defects in principle which destroy the value of nearly all Lexicons hitherto published.

The verb δαπ (τ)-ω is referred by Groves and Ewing to δαι-ω for its origin: if this were true, no etymological classification could be made, and no language, at least no unspoken language, could be learned with any precision. The elements δαι and δαπ are quite distinct: the latter contains the notion of *consuming*, and perhaps with the teeth, &c. like a wild animal, which is the explanation of Ewing. Yet both these Lexicographers correctly derive δαπ-ανη, δαπαν-αω from δαπτω, to which they might have added δαψι-λης and all its relations. In the Latin word *daps*, the same element is distinguishable.

It might be made a useful part of Greek instruction to take an element, and exhibit to the student all the existing words into whose composition it enters: the element αρ, to *fit*, to *adapt*, would furnish useful lessons; its kindred element, αιρ, to *raise*, appears sometimes to dispute with it the claim to certain words. One of the largest classes of words comprehends the verbal adjectives in τος; such as λυ-τος, δο-τος, &c.

Of this class is the word αρ-τος, *prepared, arranged:* the particular meaning of *bread* is put down in Lexicons as its general meaning. Groves, who here has a Pisgah glimpse of its origin, says, "perhaps from αιρω, to raise:" Ewing says nothing about it. From αρ-τος we have the secondary word αρτ-ιος *entire, whole, even* as opposed to *odd*, which both our Lexicographers correctly deduce from αρω, *to fit*, without appearing to suspect that αρ-τος is its immediate predecessor. Compare πολεμ-ος, πολεμ-ιος: ἱππ-ος, ἱππ-ιος: and other similarly related words in ος and ιος. To the root αρ belong the words αρτ-ηρ, αρτ-ηρια: we will not however quarrel with Ewing if he should prefer taking αιρω as the origin of αρτ-ηρ: he says nothing of the etymology of αρτηρια, which clearly must go with that of its neighbour. The word αρτηρια was used to signify the wind-pipe, before it was applied to denote the vessels in the human body which are the channels of the blood: Groves, who knew something about this fact, has suggested a notable etymology—"Αρτηρια, (perhaps from αηρ, air, and τηρεω, to keep) an artery: the pulse: a wind-pipe." Ewing says nothing of its origin, and contents himself with saying it is "an artery, the wind-pipe."

This blunder of Groves, in confounding compound words, and those formed by a root and suffixes, naturally leads to the consideration of the general nature of compound words. It is a convenient mode of distinguishing these two different things, to call derived words those which are formed of a root and a suffix,

as πηλ-ινος: and to name compounds those which are formed of two or more distinct and definite words, as λιθο-τομος. Cases may arise where it is not easy to say to which of the two classes a particular word belongs; but this difficulty does not diminish the value of the general distinction.

It may be useful for young students to observe, that a very large number of compounds is distinguishable by the first part of the compound ending with short ο, as, λιθο-βολος, νομο-δετης, χρυσο-φυλαξ: this short ο ought not to be considered so much a part of the word λιθος (for it does not exist in the element λιθ) as the cement or glue which fastens together the two pieces λιθ, and βολ. For euphonical reasons this short vowel is frequently lengthened, as in, στεφανη-φορος, λαμπαδη-φορος, ασπιδη-φορος: ασπιδο-φορος is also given in the Lexicons, but the existence of the word may be doubted; at least we may affirm it is the less euphonic, and less accredited form.

It is inferred from the examination of a large number of compound words, that the lengthening of the antepenult-syllable in a word where there are many short vowels is one of those phænomena which are most especially worthy of attention. This long syllable may stand either between the two component parts, as in στεφαν-η-φορος, or it may be the lengthened initial vowel of the second part of the compound, as πολυ-ωνυμος, τρι-ωροφος, αν-ηνεμος.

The observation of this fact will serve to furnish probable solutions of many difficult words.

We will take a few examples where our Lexicographers are deceived, and unintentionally attempt to deceive others. Αρταμος (Ewing) is a *cook*, or *butcher*: he derives it from the verb αρταμεωι, which he says is formed of αρτος, and τεμνω. Groves agrees with him, except that he omits the verb αρταμεω, and adds the signification of *butler* to the word αρταμος. *That* must be a word of a comprehensive nature which can indicate with equal precision the functions of *cook*, *butcher* and *butler*: and yet this word may easily do so, as it signifies (consistently with its formation αρτ-αμος) *a person who arranges and prepares things.* His particular office, whether it be to cut rump-steaks, or to broil them, or to serve them up, will be indicated by other adventitious circumstances. If this word were formed of αρτος, and τεμνω, it would be αρτοτομος, like αρτοκοπος, αρτοποιος. Compare with the termination of αρταμος, the words ορχαμος, ουλαμος

Take the word αγρυπνος, and let us try our Lexicographers on that count. "Αγρυπνος (Groves) from α privative, γρυ, an atom, and ὑπνος, sleep: sleepless, watchful, &c." Ewing gives

quoted, it should be inferred that these Lexicons contain nothing but blunders: in many respects they are like other Lexicons, correct where error is almost impossible. But it is in vain to look for any leading principle, which, under the guidance of judgment and learning, clears up obscurities, and smooths difficulties. The task remains for some one who will bring to it a sufficient knowledge of the kindred languages, and an intimate acquaintance with the Greek, founded on an accurate study of the best writers.

ART. VI.—*The Planter's Guide, or a Practical Essay on the best Method of giving immediate Effect to Wood by the Removal of large Trees and Underwood, &c. &c.* By Sir Henry Steuart, Bart. Second Edition. John Murray, Albemarle-street, London.

A TREE is a living being. It possesses a complicated structure, and performs numerous functions. It eats, and drinks, and digests, and respires, and circulates the matter it assimilates, and secretes and excretes. We have seen that the mouths by which it absorbs its aliment are the spongeolæ which terminate its capillary rootlets; that the tubes, by which its crude aliment is borne to the organs of digestion and respiration, are certain vessels which are situated in the woody part of the root, trunk, and branches; that these vessels convey the aliment, probably somewhat changed in its progress, through the leaf-stalk to the leaves; that when arrived at the leaves, it undergoes in these organs a complete change, and by processes analogous to those of digestion and respiration in animals, is converted into proper nutrient matter; that when thus duly fitted to afford nourishment to the tree, and to be assimilated into its proper substance, it is distributed to every part of the plant by the organs termed clostres; and that, finally, the bark wherever situated, whether in the branches, trunk, or roots, abounds with another order of tubes, termed "proper vessels," which separate, by processes analogous to those of secretion and excretion, the first, the juices proper to the plant, and which perform some useful purpose in its economy; and the second, those which would prove noxious to it, and which must therefore be expelled from its system.

Thus during the period of active vegetation there is always going on in a tree two opposite currents: one ascending, which passes through the woody part of the tree, and which consists of crude aliment; the other descending, which consists of two portions: first of that portion which is distributed to every part of the tree, and which must therefore flow alike through the wood and the bark: this consists of elaborated aliment, now properly prepared for the purposes of nutrition; and secondly, of that

portion which flows only through the bark, which is contained only in the proper vessels, and which consists of substances either secreted or excreted from the elaborated aliment. The mechanism and action by which all this is performed we have already endeavoured to explain.

A living being is distinguished from an inorganic body by the performance of those actions which are called functions, through the instrumentality of the structures which are termed organs. The organ is the mechanism, which, on being put into motion, performs a peculiar and definite action, denominated the function. And it is put in motion by certain external physical agents, which are capable of so influencing it as to produce in it peculiar and definite effects, such as those agents can produce in nothing but an organ. These effects are termed impressions, and the physical agents that produce them are called stimulants. The impression being received, certain actions are excited, and these actions constitute the phenomena of life; every organized being is capable of a certain circle of them; its life consists in the performance of that circle; every being has its own circle, and consequently its own peculiar organs, and its own appropriate stimulants.

Heat, air and water are the stimulants which are indispensable to the existence of plants, and light is necessary to their health and vigour. To every plant there is a certain quantity of these stimulants, which is best adapted to its peculiar organization, and the more nearly the supply afforded it approximates to that quantity, the more perfectly are all its properties developed. The expedients which are brought into operation in culture do nothing, and can do nothing, but to regulate that supply. Yet indispensable as these physical agents are to the maintenance of life, it is, as we have elsewhere shown, one of the characteristic properties of life to resist, within a wide range, the ordinary operation of these very powers: for a plant may be brought to preserve its life, and even to flourish in water, the temperature of which approaches that of the boiling point: just as a living animal can support existence in a degree of heat which would actually roast its flesh were it deprived of the principle of vitality. It is in consequence of this power of resisting within an extensive range the influence of these physical agents, with which all living beings are endowed, that they are enabled to accommodate themselves to such an immense variety of external circumstances. Most animals can be brought to live in tolerable health and vigour in any region of the earth, and plants can be inured to almost any climate; for the very intensity of the impression produced

by these external stimulants, excites internal and vital actions, by which the living being is defended from noxious influences. Physical agents are the powers by which the machinery of life is set in motion, and is kept so; but that machinery, when once in motion, can control these powers almost as much as it is controlled by them.

The slowness with which principles perfectly well known, and one would think capable of the most obvious application to purposes of utility, come to be so applied, is not a little remarkable. The clear perception of the use to be made of a principle, and the intellectual vigour adequate to demonstrate the use by the application, would seem to be endowments almost as rare and nearly as important as the faculty of tracing that link of connection between similar and apparently dissimilar, though related, phenomena which leads to the discovery of new principles. A hundred thousand minds had observed the force of steam before it occurred to a single one that it might be applied to save muscular exertion, and to produce results which no muscular exertion can accomplish; and even this thought had been probably conceived by many thousands before it engaged the attention of one that was capable of giving the actual demonstration of the fact by the invention of the steam-engine. The wonderful actions which take place between certain physical agents and certain vital fluids in some of the processes of life, which chemistry clearly and beautifully discloses, were long known to be invariably present wherever the functions of animal life are performed, forming indispensable parts of the animal economy, before analogous actions were discovered in the living plant. And when discovered, it was still longer before the great practical facts which they brought to light were applied to the improvement of agriculture; and even when, at last, applied with the most surprising advantage to the improvement of this art, they have not been to this hour generally applied to arboriculture, although there is no department of the vegetable economy in which the effects resulting from their application would be more striking, or the fruit more precious, or more abundant.

We have taken some pains to prepare the reader for the full understanding of this fact, conceiving it to be one of great interest, no less on account of the purposes of utility to which it may be applied, than of the beauty of which it may be the source. For the power of affording that illustration of it which is about to be developed we are indebted to the author of the Planter's Guide, who has done for arboriculture, by means of physiology, what had been already accomplished for agriculture by means of chemistry.

The art and science of transplanting large trees is but one part, and perhaps not even the most important and useful part of the art and science of arboriculture: but it is a very striking part of it, as must needs be thought by him who has seen in an almost unwooded park, pictures of extreme beauty formed in a single season by the distribution over it of fine trees in rich verdure and full vigor. To effect in one year what is not accomplished by the ordinary processes of nature under thirty or fifty, can scarcely fail to have some value in the eyes of beings, whose term of existence can hardly be expected to extend beyond that period twice told; and if, to the scientific mind, the science by which the fruits of many years are thus crowded into one be a distinct source of interest, perhaps, even to the worshipper of beauty, the object of his idolatry will not appear the less fair that he contemplates it through the power that created it.

The art of Transplantation may be rendered as sure in producing its result as any that has been invented by human ingenuity; but it is in some respects a very delicate operation, and it always requires a minute attention to a number and variety of objects of which the old transplanters had no conception. Any tree may be transplanted, but no tree can be transplanted with success in all states or in every mode; any tree may be removed with perfect safety to almost any situation, if an important object is to be obtained by the removal; but there is no tree which will thrive equally well in every situation and in every soil. Scientific, that is, uniformly successful transplantation, implies an attention to the state of the tree, to the nature of the soil, whether of that in which it has been or of that in which it is to be; to the degree of exposure, both of that to which it has been accustomed and is now to be inured; to the mode of taking it up; to the mode of setting it down; to the mode of planting it, and to the mode of treating it after it is planted. The success of Sir Henry Steuart is very remarkable: but he has succeeded because he was aware that he was dealing with living beings which would live or die, which would thrive or pine, according as he protected them with warm clothing, or exposed them without a covering to "winter and cold weather;" according as he provided them with wholesome and sufficient food, and was careful to bring their digestive organs into good condition, or, after having nearly ruined their stomachs, either left them wholly without nourishment, or placed within their reach such as they could not digest. Our space will allow us to give only a few specimens of the kind of attention with which this distinguished arboriculturist has treated the objects of his

care: but it will be seen that he has watched over them with an anxiety perfectly analogous to that which the shepherd bestows upon his flock, and that this was indispensable to his success.

Were an animal brought from a warm, into a cold climate, by a person who was anxious to inure it to its new abode, and to enable it not only to live, but to enjoy health and vigour, that man would be thought mad were he to propose to accomplish his object by cutting off the limbs of the creature, and tearing away a great part of its stomach and lungs. No doubt were the limbs off, the stomach and lungs would have less blood to prepare for the nourishment of the remaining part of the body: but, independently of the folly of taking away the organs upon which the preparation of nourishment depends, and even admitting that an animal without limbs is an animal worth preserving, it does not seem a very wise thing to produce, by mutilation, a violent shock in the animal body, with the view of giving the animal system less work to do.

A tree which is removed from a close plantation to an open park or lawn is precisely in the situation of an animal which is removed from a warm to a cold climate. A transplanter on the old system, anxious to make his tree flourish in this new situation, begins by lopping off the branches of his tree: that he does, he tells us, to give the roots less nourishment to provide: but in taking away the branches we know that he must take away the leaves also, and that in taking away the leaves he takes away the lungs of the creature, the very organs without which no nourishment whatever can possibly be prepared. It will scarcely be believed that this practice was universal until it suggested itself to sir Henry Steuart that if it were worth while to remove a tree at all, it was worth while to endeavour to carry along with it the most useful, to say nothing of the most beautiful, part of it.

The next thing that seems to have occurred to this admirer of trees was to observe what it is that makes a fine tree: what properties it combines and must combine to render it an object for the eye to repose and the imagination to dwell on. "Stems stout and short—bark thick and coarse—tops extensive and spreading—branches loaded with spray reaching even to the ground—roots extensive, like the tops, throwing themselves out on every side"—that it seems is the beauty.—The description may not sound remarkably poetical, but whatever may be the case with regard to other beauties, we are inclined to think that any poet's description of this must be fine indeed, that can compare with the loveliness of the object itself.

The characters of a tree less vigorous, less hardy, brought up

in a more artificial state, visited with fewer of the winds of heaven and those more tempered, and with fewer sun-beams glancing on its foliage, the characters by which such a tree is distinguished, are "stem upright—bark glossy—top small, thinly provided with branches—roots spare and scanty."

It follows then, that trees acquire peculiar properties according to the different circumstances in which they are placed: properties intimately connected with their well-being, constituting provisions suited to the wants of their economy, and by means of which they adapt themselves to their situation. And to such an extent may this modifying influence of situation be carried, that trees of the same species, placed in different circumstances, may ultimately lose all manner of resemblance to those of their family, and be recognized as belonging to the same species only by their leaves: while by gradually altering the situation of a tree that is transformed in the greatest possible degree, it may after a time be brought back to a perfect conformity to those of its own tribe.

Struck with these great and characteristic transformations, sir Henry Steuart began to observe minutely in what they consist: having ascertained this, his next object was, to find out the precise use accomplished by each change. Succeeding in both inquiries, he next discovered that he could communicate any of these properties in any degree and to any number of trees that he desired; or, that he could at his pleasure, dispossess them of those properties when acquired: and now he perceived that he had made the first step towards fixing the art he was cultivating on a firm and sure basis. Of the manner in which he was first led to make these observations he gives the following account.

'My first experiments, many years since, were made on subjects taken from plantations, in which the Trees stood too close to one another. The plants, as might be expected, were straight and beautiful, although greatly drawn up by shelter towards the light, and deficient in lateral branches. But I expected, by removing a number of them, to obtain the double object of thinning the plantations, and wooding the open field. During the first season, a few of the best-rooted survived the operation, and carried leaf well. Their tops were pretty severely lopped, lightened with the axe, in the ordinary manner; and I was flattered with some prospect that they would erelong shoot forth with vigour. In a year or two, they became stunted and unhealthy, from causes now obvious, but which were unknown to me at the time. The remaining branches gradually dropped off. They were unable, even with the help of props, to resist the winds, and were in the end rooted out, as altogether irrecoverable.

'Having discovered that subjects of quite a different sort must be

resorted to, my next trials were made on trees standing in open glades, in grove-wood, which had been thinned out to wider distances, in hedge-rows, and the like, where the sun and air had freer admission. The Trees in general here exceeded twenty feet in height. Their stems were stouter than those used in my first experiments. Their bark had none of the fine and glossy surface belonging to that of the others. Their heads were beginning to assume a more spreading form, and were tolerably well balanced. The roots in some were numerous, but in others, scraggy and straggling, according to the nature of their previous rooting-ground, and the degree of exposure in which they had stood.

'The plants from the hedge-rows, of course, exceeded all the others in the possession of those properties, which I began to suspect were most essential; and they would have been the best subjects of any, had not their roots grown in a perpendicular direction, in consequence of the high mound of earth on which the hedge was planted. But the tops of the whole I now resolved to leave entire and untouched, notwithstanding the universality of the lopping practice, and the confident opinion entertained, that it was indispensable to success.

'At this early period, I possessed little skill in the business of preparing, or taking up the Trees. I had no implements, beyond common spades and shovels, for the latter purpose: Neither had I any proper machinery for safe and speedy transportation. A number of men, however, being set to work, sledges, trundles, carts, and even wheelbarrows were pressed into the service; by which methods, a few were removed with difficulty, and at a considerable expense.

'Some years after this, I tried other subjects, from forest glades, or open spaces in the interior of woods, where the Trees were much taller and handsomer. Their disposition having been pretty open, and the lightness of the soil affording good rooting-ground, their root and fibres had struck more abundantly, than in the other subjects just now mentioned. Their bark, likewise, appeared more sound and healthy, and free from the coarse and rugged surface, which was remarkable in the hedge-row plants. For these reasons they were the subjects from which I anticipated the most certain success. This took place more than thirty years ago.

'It may easily be imagined, that, in these rude attempts, many deaths occurred, and that a small number only outlived the operation; but the lessons which were derived from them, after standing on the open ground for four or five years, were very instructive. I shall most probably surprise the young planter (as, indeed, I was surprised myself) by stating, that those, which I then found to succeed the best, were not what had shown the most numerous roots, as was conjectured, but what had acquired the thickest and coarsest coat of Bark, and possest the stoutest Stems, if accompanied with Branches and Spray pretty thickly set. In the second place only came the plants from woody glades, of which the roots were so promising, and seemed to confer on them so great a superiority. In other words, it appeared to me that the success of the Trees, their new situation and soil being

equal, was in the ratio of their previous exposure, and their consequent power of protecting the Sap-vessels; which power seemed always commensurate to exposure.'—pp. 106—109.

A tree that thrives and that has thriven in an open exposure affords the finest specimen of a tree, because in such an exposure it receives that full supply of stimulus, from the physical agents already enumerated, which is necessary to the complete development of its properties. Such a tree is healthy, strong, vigorous and beautiful: it will be always found to possess, and it is healthy and beautiful because it possesses thickness of girth, thickness and hardness of bark, numerousness of branches with abundance of spray, and numerousness of roots with abundance of capillary ramifications. These four properties will secure its nourishment and ensure its protection. By the abundance of the capillary ramifications of its roots, it is capable of absorbing a sufficient quantity of aliment: by the abundance of branches, with a corresponding abundance of spray, provision is made for an adequate supply of leaves to convert its crude aliment into real nutriment; by the thickness and hardness of its bark, which is a bad conductor, its vascular system is protected from cold; by the thickness of the girth and the general shortness of the stem, it is endowed with sufficient strength to resist any current of wind to which it may be exposed, and this power of bearing up against currents of wind, is greatly increased by the balance afforded by numerous outspreading branches. These properties are called by sir Henry the four protecting properties: because whenever they are possessed they will be sure to preserve the tree: whenever they are combined in any subject, that subject may be removed at once without hazard; it is fit to go out and to make its way in the world, and it will flourish when transplanted as well as though it had never left its home: whereas to a tree placed out with the non-protecting properties, that is, with an upright and stately stem, with a smooth and glossy bark, with a small top, thinly provided with lateral branches and with spare and scanty roots, however beautiful and tempting it may look, the first cold that sets in, or the first rude blast that blows will prove

——— "As killing
As frost to flowers, that their gay wardrobe wear,
When first the white-thorn blows."

In transplanting, then, the first thing to be done is to choose trees for removal which possess the protecting properties; for without these no health nor beauty of the trees, and no care of the transplanter will avail; sooner or later the tree will perish. But nature is always preparing trees to the transplanter's hand.

"About every place, great or small, such subjects are always to be found in pretty open dispositions, in old grass plats or avenues; in woodlands, near the flower or kitchen garden, and the like, where the ground is usually kept under the scythe."

And if a tree which on any account it is desireable to remove be deficient in any one or in all of the protecting properties, such properties can be bestowed upon it in complete perfection by art. Nothing can be more beautiful, and nothing more truly physiological than the expedient suggested many years ago by lord Fitzharding, for multiplying the capillary ramifications of the roots, which may be done to any extent, and by means of which instead of lopping off the branches to diminish them to the ability of the roots, which was the old practice, the scientific plan, and one which is always practicable, is to increase the roots to the ability of the branches and top. Equally scientific are the modes pointed out by sir Henry Stuart for endowing single trees with the other protecting properties, and for imparting those properties in the requisite degree to large masses. In executing designs of any extent where many subjects are wanted, it is indispensable to set apart a separate spot for the purpose of training them to endurance, and communicating to them any property in which they may be deficient. Such a spot is called a transplanting nursery, from which as from a great repository of materials high and low, light and massive, spreading and spiral trees may be brought forth at pleasure, as may best suit the planter's design, and which will soon afford him the means of wooding the highest as well as the lowest parts of his grounds. It is stated that transplanting nurseries, as excellent as can be desired, are afforded by all grove-wood of from about twenty to forty years growth, provided it has been so thinned and pruned after the first ten or twelve years that the tops of the trees are never allowed to touch one another; by woody glades or small forest lawns, or any part of the woodland of a place which may happen to be retired from the view, and but little sheltered by surrounding objects.

"'"About the twelfth or fifteenth year after the clumps were planted," says sir Henry in giving an account of the manner in which he managed his own Transplanting Nurseries, "I began to cut away the Larch and Spruce firs. These had been introduced merely as nurses to the deciduous Trees: and from the warmth and shelter they had afforded, and the previous double-digging, the whole had rushed up with singular rapidity. The next thing I did was, to thin out the Trees to single distance, so as that the tops could not touch one another, and to cut away the side-branches, within about three, or three and a half feet of the surface. By this treatment it will be perceived, that

a considerable deal of air was admitted into the plantations. The light, which before had had access only at the top, was now equally diffused on all sides; and the Trees, although for a few years they advanced but little in height, made surprising efforts towards a full developement of their most important properties. They acquired greater strength of Stem, greater thickness of Bark, and extension of Roots, together with a corresponding amplitude of top and branches.

'But at this time it was apparent, that the Clumps had a remarkable advantage over the Belt, or continuous plantation. While in no part so deep as to impede the salutary action of the atmosphere, the circular or oval figure of the Clumps, and their free exposure to the elements, furnished them with a far greater proportion of good outside Trees; and these, having acquired from the begining a considerable share of the Protecting Properties, were in a situation to shelter the rest, and also to prevent the violence of the wind from injuriouly acting on the interior of the mass. It therefore became necessary to thin the belt for the second time, which was now done to double distance; that is to say, to such a distance, as would have admitted of a similar number of Trees to stand between the existing plants. Thus, within four or five years after the first thinning, I began to have tolerable subjects for Removal to situations of moderate exposure; while every succeeding season added fresh beauty and vigour to these thriving Nurseries, and made a visible accession to all the desirable Prerequisites.'—pp.224—226.

Of the preparation of the soil to receive the tree, which, after having endowed it with the properties which fit it for removal, is the next thing to be attended to, only a word or two can be now said. It must be borne in mind that soils are not the food of plants, but merely the medium through which its aliment is brought into contact with the absorbent mouths of the capillary rootlets, and that water forms the most essential part of that aliment. It is found that the most perfect soil is that which is the most capable of remaining moist without being wet, or which is the most capable of retaining water, not in a state of aggregation, but in that of the minutest division, just as it is in a sponge slightly moistened. Adhesiveness and looseness are, therefore, the two main properties which a good soil must possess: it must be adhesive to retain the water, and loose that the fluid may be equally distributed throughout the mass. Alumina, the basis of the clayey soil, communicates the property of adhesiveness, and silex, the basis of the sandy soil, that of looseness. The object at which art must aim in improving soils is therefore sufficiently obvious. To adhesiveness and looseness must be added, in order to secure the luxuriant growth of trees, depth of soil: for trees, far more than agricultural crops, require depth of soil to raise them to perfection.

Minute and ample details are given in the Planter's Guide for modifying different kinds of soils and imparting to them the requisite properties. The great object to be effected, which Sir Henry Steuart thinks it is possible always to accomplish, is, to prepare the ground in such a manner, that when the removed tree is placed in it, the delicate filaments of its roots may find themselves enveloped in a mould which may, more than the "green turf, suck the honied showers."

Suppose, then, the tree to possess the properties which fit it for removal, and the ground to which it is to be removed to be in a fit state to receive it, the operation of removal consists of four parts; namely, that of taking the tree up, that of transporting it to its new situation, that of fixing it firmly in the earth, and that of distributing the minute ramifications of its roots.

As will be readily conceived, the most important part of the business of taking up consists in preserving the capillary rootlets. These being, as we have seen, the only organs by which the aliment of the plant is absorbed, if these delicate structures are destroyed, the tree must necessarily perish. If the rooting-ground be tolerably good, it is uniformly found that the extremities of the roots push out beneath the surface, to a greater distance than the branches of the tree extend, whatever that distance may be. Beginning, then, at some distance beyond the branches, the workmen must cautiously try with the spade, and with an implement termed the tree-picker, which is to the transplanter, in dissecting out the rootlets, what the scalpel is to the anatomist, in dissecting out the blood-vessels, to discover the extreme points of the rootlets. Having ascertained where the extremities lie, having opened a trench to receive the soil as it is dug up, and having undermined the bank in which the roots are contained by thus clearing away the soil, the earth is to be scratched away from their delicate ramifications with extreme caution. Contrary to what might be conceived, the mould does not adhere very tenaciously to these organs: there is an art in loosening it which practice only can give, and which is obtained by shaking the ground rather than striking it with the pick. The ease, the completeness, and even the rapidity, with which it is disengaged and removed by an attentive and expert workman is beyond belief. It is incredible how few of these tender and delicate filaments are injured in the slightest degree, and what vast numbers, tens of thousands, and in some instances millions, are preserved in all their integrity and vigor.

It has been already stated, that the rootlets proceed from the main trunks of the roots in a constantly decreasing series, and

that the divisions extend outwards from the body of the tree, gradually diminishing in size as they advance. These root branches are also given off in layers, seldom less than three in number, and some-times more. The uppermost layer, or the most superficial, is often very near the surface of the earth: next is given off what may be termed the middle layer, and lastly, the deep-seated or profound layer, the actual depth of which depends upon the nature of the soil and some other circumstances. As the superficial layer is laid bare and completely disengaged by the workmen, the branches are gathered together, tied up in bundles of a convenient size and placed aside, out of the way of the feet of the men, or of any thing that can bruise or in any manner injure them. When this is done, the middle layer is exposed, disengaged and treated in the same manner, and last of all, the profound layer is in like manner set free from the soil and secured. By the time this part of the process is completed, by the exposure and disengagement of all the rootlets, and the removal of the earth that enveloped them, it will be readily conceived that the tree is standing in a deep pit. In order to raise it from this pit, a rope is fixed as near the top of the tree as a man can safely climb: the workmen are then set to draw the tree down on one side: in this position they hold it until earth be raised to the height of a foot or more on the opposite side of the pit, so that as soon as the tree is liberated it springs up and stops against the bank thus formed: then the tree is again pulled down on the opposite side, and a foot of earth is forced up in a similar manner, when on being liberated a second time the tree again rests against this raised bank: and the same thing being repeated two or three times, the tree is gradually raised even to a higher level than that of the adjoining surface: by this simple and ingenious management it becomes an easy, instead of a formidable undertaking, to draw the tree from the pit.

The machining and the transportation of the tree must be passed over, although these are points of much nicety and some difficulty; but, as is fully shown in the work, they are capable of being managed with extreme ease and exactness. While the tree is on its road, some workmen should be sent forward to the spot in which it is to be placed, in order to throw out the earth on all sides, and to prepare the pit to receive it. Minute directions are given for dropping the tree on the exact point fixed upon, and with the side facing the aspect to which it is decided it should be exposed: but the ingenious and beautiful expedient which is brought into operation at this point of the process, with a view of giving symmetry to the tree, or of

improving the balance of its branches deserves particular attention. It is stated that most trees shew what is called a "weather side," usually in this island to the west and south-west; from which side they seem to bend, and in consequence of which their symmetry is destroyed; that in close plantations the same effect is produced by the too close proximity of the trees; that of this propensity to bend to the gale, the beech and the larch are remarkable examples; while there is scarcely any tree, the sycamore, perhaps, excepted, which does not exhibit a weather side towards the blast, and on the opposite side throw out by far the longest and stoutest branches: that, in other words, all trees growing for a certain time in exposed situations, or even in close ones where they cannot equally expand, may be said to be "ill-balanced." This, in parks much exposed, is found a very serious eye-sore; as, in such situations, the stems describe very unequal angles with the surface, singularly acute on the one side, and as obtuse on the other. In order to remedy this striking deformity, Sir Henry states, that in placing the tree in its new situation, he has uniformly *reversed* its position; that in consequence of the greater warmth thus secured to it, the greater activity of vegetation is transferred to the deficient side; that in this manner the equal balance of the tree is gradually effected, and its symmetry and beauty unspeakably augmented: that in exposed situations there is no other possible way of procuring a full and extensive ramification on the stormy side, for although where the action of the air is the greatest, there the greatest evolution of buds, and the thickest growth of spray take place; yet that these growths, for the reasons already assigned, are shorter and feebler in proportion as they are more numerous, and that the art of transplanting may in this mode be made to substitute beauty for deformity, and to cure one of the most prominent defects that belong to park trees, especially on the western coasts. This expedient is as remarkable for the soundness of the science that suggested it, as it is for the agreeable effect it produces.

Suppose the tree to be at length dropped on the exact point decided on, in the excavation made to receive it, with what had been its most sheltered, and therefore its most developed side facing the greatest exposure, the most scientific, that is, the most physiological part of the whole process is now to be performed. Two things are to be done; the first comprises the setting up, balancing, and supporting the tree, so that it may be fixed firmly and securely in the earth; the second relates to the proper distribution of the roots: the mode of proceeding which is indispensable to effect the first would be fatal were it adopted with a view of accomplishing the second.

It has been stated that the great trunks of the roots, which of course are nearest the stem of the tree, do not perform the function of absorption; that they are merely the channels by which the absorbed aliment is transmitted to the woody part of the stem, in order to be conveyed to the branches, and through the branches to the leaves. These primary root-trunks are the true cords or props, by which the tree must be securely fixed in the ground; and it fortunately happens that a considerable degree of force may be applied to them, while they can be made to bear a great pressure without sustaining the slightest injury. The first thing to be done is to make the ground firm and solid beneath them: in order to accomplish this purpose, while one workman seizes as many of them as he can hold, raises them up and thus clears a passage to the under bed, another workman throws in mould of the finest sort he can find, in such a way as to form a bank, sloping outwards against the roots so held up, and treads it firmly with his feet.

On this firm bank the primary root-trunks are made to rest, and when distributed upon it, mould is thrown over them, and care is taken to fill in and equalize all the chasms or interstices that appear between them; this being done, the earth is again firmly trodden with the feet, and with a small blunt-pointed stake or rammer, about three feet long, mould is pushed in and made firm in the cavities which the foot cannot reach. This process is continued completely round the tree, while all the divisions of the root-branches, constituting of course the great body of the roots, are carefully avoided. When the circle around the tree has been thus fully completed, it is obvious that a circular mound will have been thrown up, which as care has been taken to make it uniformly slope outwards from the trunk of the tree, will have the shape of an inverted china saucer. This circular mound Sir Henry Steuart terms the retaining bank; into which the primary root-trunks are so firmly fixed, that a stout man on applying himself to the transverse ropes, will find himself unable to displace the root even with such a lever as the stem affords him. When the resistance is in this manner made quite uniform on all sides, which should be often and carefully tried, especially on the north-east in lee quarters, the tree may be said to be planted: it is now securely fixed: it is provided with a perfect safe-guard against the wind: and all this is accomplished before any cover whatever is laid upon the branches of the roots; they together, with the entire mass of their minute and delicate ramifications, remain untouched, and are now to be disposed of.

And the same care that has been employed in preserving and

protecting them while taking them up and transporting them, must now be taken in distributing them in a proper manner. Having been bundled up for security during the lifting and transportation of the tree, and merely untied during the fixing of it in its new situation, they are now to be disentangled and stretched out in a regular manner from the centre. Nature points out the order in which they should be disposed: the order in which they have naturally grown should be closely followed in their distribution. The most profound layer is therefore the first that must be laid down. Beneath and above the primary branches of this layer mould is thrown, and a bank formed in a similar manner as for the primitive trunks; but the pressure made upon these first divisions is not great. The secondary divisions given off by the primary branches of this deep seated layer are next unfolded, spread out, and covered with mould in the same manner, but still less pressure is applied to these: when as the subdivisions continue, the ramifications become small, then no pressure whatever is allowed in covering them with mould, but when having, at last, become minute and capillary, the earth is now laid on with the hand in the gentlest possible manner, all pressure being guarded against with extreme care. He who has seen the trunk of an artery beautifully dissected, after a minute injection, may form an adequate conception of the appearance which these tender and delicate filaments present, as they are spread out in every possible direction, upon the soft mould. He who has seen the representation of such an artery in a well-executed plate can form only an inadequate conception of the minuteness and delicacy of these vessels of the plant. It is a sight not to be forgotten.

The deep-seated layer of roots, with its innumerable ramifications, having been thus disposed of, the middle layer with its subdivisions is now unfolded, and spread out, and gently covered with mould; and lastly, the most superficial layer is treated in all respects in a similar manner. And, finally, the green sward, which had been carefully preserved in opening the pit for the reception of the tree, is softly laid over all.

Why should not a tree thus planted stand firmly in the earth without props? Why should not a tree thus treated live and flourish? Art has embedded its primary root-trunks in a bank which cannot be shaken. All the winds of heaven, at least the severest that are sent from heaven to visit this island, may blow against it without moving it; they do blow against it, and do not move it; for no instance has occurred of a tree having been blown down in Sir Henry Steuart's practice; transplantation thus conducted changes the situation of the tree, but alters its

condition in no other respect. The organs which absorb nourishment are preserved uninjured, are placed in the same direction, and enveloped, in the same soil: the trunk, the branches, the apparatus for producing leaves are able to perform all their functions with their wonted vigour. Why should not this creature live? It has the same mouths, the same food, the same vessels for transmitting its aliment to the organs in which it is converted into proper nutriment; the same respiratory organs for elaborating its nutriment; the same secretory organs for preparing its proper juices, and the same excretory organs for carrying out of the system whatever may be noxious. Sir Henry Steuart justly calls transplantation performed in this manner, transplantation on the preservative principle: and preservative it truly is, for only one tree out of forty-five thus transplanted dies. There is much to be said, and something which we intended to say, relative to the after treatment of a being whose station in life has been thus materially changed: the cost of removal, the immediate pictorial effects capable of being produced by the transposition and combination of large and fine trees; the improvement of the soil; the advantages that might be afforded to agricultural crops by the increased shelter which these operations imply, or to which they might easily be made conducive; and last, though not least, the increase in the quantity and value of timber which the science of arboriculture seems capable of augmenting to an extent of which few have formed an adequate conception—these are all highly important and interesting topics, which might admit, and perhaps with some profit, of an extended discussion, but into which space will not allow us to enter at present. For the promotion of the objects they comprehend, Sir Henry Steuart earnestly recommends the formation of an Arboricultural society, analogous to the agricultural and horticultural societies, and observes, that since the art of arboriculture stands next in rank and consequence to that of agriculture, it can flourish only when studied as a separate profession; that were it pursued with the constancy and care with which it would be studied under the fostering influence of such a society, "well-informed land-holders, useful foresters, and scientific nurserymen would speedily rise up;" that facts as well as principles, which are known only to the studious phytologist would become familiar to all, whether owners of woods, or those engaged in their superintendence; and that thus while the property of individuals would be gradually rendered more productive, a great accession would be made to the general wealth and intelligence of the country. A great reward was once offered by a rich, and yet a very poor man,

for the invention of a new pleasure: there are times when some of our country gentlemen would be tempted to give a good deal for that same invention: men cannot be always shooting, or hunting, or seeing that the game-laws are carried into execution, nor can dinner be made to last all the day long: had they but the heart to know it, Sir Henry Steuart has done for those gentlemen what the satiated prince asked in vain: what he has done for his country there has not yet been time fully to shew.

ART. VII.—*The Game of Life.* 2 vol. 12mo. by Leitch Ritchie. Bull. London. 1830.

THE Game of Life is an experiment by a practised writer and an able man. He has apparently conceived the design of interesting the world by incidents and characters rarely introduced into works of fiction. Penury, labour and irregularity of life are the characteristics of the persons whom he has ventured to offer to the attention of the romantic muse. Their claim to preservation in a well-written novel must chiefly depend upon their reality: they appear, if not to be portraits, to be very truly cut out, as he says, from the back ground of the picture of life. Our surprise is, not that he should have drawn them exactly, for in truth the features of such a state of existence are striking and easily caught, but that a man of talent and education should ever have had the opportunity of witnessing such exhibitions of wretchedness and studying such humble and woeworn characters; the first stirring scene we are introduced to being the back room of a gin-shop, and the chief and most active parties to the "Game of Life," characters who habitually spend their evenings at the public called "The Three Puncheons." The author, not content with exhibiting them in their moments of hilarity, traces them to their wretched homes, to their starving families, to the despair of the fireless grate, and the famine of the empty cupboard: in short squalor, misery, and, if not dissoluteness, at least gross irregularity of morals are the prominent and favorite subjects of this Morland of the Circulating Library.

The object of the writer is not very clear: he claims the merit of a Utilitarian moral, but in what way he makes it good we should be pleased to be informed. The only moral we can draw is, that persons who enter London without friends, conduct or guidance, are likely to be involved in low

dissipation or deep distress: a description of truth which derives no part of its probability from the doctrine of utility. The Utilitarianism is certainly not in the management of the story. It would appear from that, that if a dissolute father deserts his family, or a thoughtless one gets killed off in a duel, that there will most probably turn up some wealthy old gentleman to watch their welfare and protect their fortunes. In one of the ramifications of the plot this old gentleman in brown turns out to be the uncle of his protegé, in a manner so utterly unlike the chances of the true "Game of Life," that we recognize far more likeness between the incident and those of the repertory of the Minerva Press, than any deduction to be made from Utilitarianism. The term is not one fully comprehended by the author.

If his design has been to turn the tide of public interest from the fashionable histories of the lord Henrys and the lady Julianas which spring up like mushrooms in the hot-beds of New Burlington, the author will experience the mortification of a failure. There is nothing more interesting in the personal history of a broken-down law-stationer, an unprincipled penny-a-line man, or a roguish general agent and dealer in every thing on earth, than in the adventures of aristocratic heroes and heroines. Had he indeed turned the wheel of fiction on the abuses of society, on the robbery of the laborious classes by the privileged or the protector, had he even shewn that in the existing state of morals, that industry and virtue cheated of their reward or, in the present disposition of the goods of life, incapable of procuring sustenance, it would have been easy to understand his object and a duty to have furthered his design. As it is, however, we feel no greater sympathy with the pleasures and pains of the author's reprobates than in those of a higher and not more virtuous class; much less, in fact, for in spite of a bad system of morals and something rotten in their social state, the examples of high principle and benevolent disposition in the titled heroes and heroines of the modern novel are by no means rare. It ought, however, to be mentioned, that the author has put the virtue of fidelity and honesty into one of his characters—Burnet the law-stationer:—his parlour is indeed the public-house, but in the midst of a starving family he indignantly rejects a bribe, and remains steadily faithful to a poor friend from whom he has nothing to hope. This person is painted by the author with the colours of life.

It would not be difficult to extract passages of considerable merit and effect, but to say the truth, they would not be fair samples of the work, which is singularly unequal, and con-

stantly suggests the thought, that a writer who has drawn parts so well, might have made the whole far better.

ART. VIII.—*Travels in Kamtchatka and Siberia, with a Narrative of a residence in China, by Peter Dobell, Counsellor of the Court of his Imperial Majesty, the Emperor of Russia.* Colburn and Bentley. 2 vols. Post 8vo. 1830.

THE object which Mr. Dobell had in view in visiting countries so completely out of the beaten track, is not communicated to us; nor are we informed how or why he is entitled to append the title of Russian Counsellor to his name. He writes like an Englishman, but that is nearly our sole guide in deciding whether he is a British or Russian subject. It is not very important, in general, to know who or what a traveller is, excepting by his works; but when a man sets out to reside a great number of years in such a country as Kamtchatka, the reader is naturally curious to know the nature of his business. Be this as it may, the narrative of his travels to and fro across the extraordinary regions of Siberia, contains so much novel information respecting their condition and resources, presents so many pictures of modes of life, of habits, and manners, and so much of striking description, that for the sake of his having said so much of others, Mr. Dobell may be forgiven for having said so little of himself.

The date of the commencement of Mr. Dobell's first adventures in Kamtchatka goes so far back as 1812: since that time, however, he has resided several years in the country; and in his visits to St. Petersburg, has had occasion to cross it several times. Of Siberia, more general accounts have been given; but of the parts which came under our traveller's notice, none so good: and the description of Kamtchatka, in particular, is both more complete, and more valuable, in all points of view, than any thing we have ever previously met with, in the writings of the navigators and travellers who have made this singular country the subject of their observation.

Siberia is associated in the mind of Europeans with nothing but ideas of sterility, banishment, and frost; a very different impression of it is derived from the report of Mr. Dobell: the reader will be surprised to hear of its beautiful scenery, its splendid rivers, its rich mines, its fertility, its fruits and flowers. But still more is it unexpected, to find Kamtchatka spoken of as the land of plenty; and Kamtchatkans as the mildest and

most amiable people in the world. Nature is fond of compensations; if the summers are short in the regions of the north, they make up for it by their great heat, and the rapidity with which they encourage vegetation: if the frost of winter is so severe as to prevent the growth of natural productions, or the chase of animal ones, this very frost interferes to preserve those objects that have been already laid up in summer. It is thus, that even in countries where at the first aspect nature appears to have been so niggard in her gifts, that to be happy, and to enjoy, only requires a knowledge of the manner in which she has accorded her bounties. This lesson is read very remarkably in the condition of this rugged, and as it were rejected, strip of snowy desert, as we find it depicted in the volumes before us. The Author first arrived in Kamtchatka in August, 1812, by sea. He appears to have commanded a vessel which at that period anchored in the port of St. Peter and St. Paul. This port is one of the inlets of the Bay of Avatcha, in which "the united fleets of Europe might ride in safety," and the aspect of which affords "a combination of picturesque beauty, grandeur, and security rarely equalled in other parts of the globe." The river of Avatcha has one hundred mouths, which, together with a great number of salt-water inlets, intersect an immense tract of low ground: here, as in many other parts of Kamtchatka, dikes and mounds have been raised in considerable numbers, and of considerable magnitude; giving evidence of the country having been at one time much more thickly inhabited, by a people farther advanced in civilization, than it is at present. They are, indeed, so far beyond the force of the present race of inhabitants, that many have been led to believe them the work of nature: in the opinion of our Author, the marks of art are evident, though he, as well as others, is utterly at a loss to assign either the time or the architects of their construction.

Mr. Dobell found that the commandant of the town of St. Peter and St. Paul was not authorized to "enter into his views," a mercantile phrase, meaning, that he was not prepared to strike a bargain, without the consent of general Petrowsky, the governor, who resided at Nijna Kamtchatsk, seven hundred and fifty versts off. Accordingly, Mr. Dobell, in company with the colonel-commandant, after giving a ball to the whole town on board his ship, set off on a visit to the governor. This is his first excursion in Kamtchatka.

The first point made in this expedition was the little village off Avatcha, situated at the very bottom of the bay to which it gives its name. They reached it in their ship's boat; the weather was calm and serene, and the tranquillity of this wild bay was

solely interrupted by immense flights of water-fowl, and by the sporting of the seals, which often pushed up their heads out of the water, close by the boat, as if curious to discover who it could be that disturbed the stillness of their haunts. The bay is surrounded by a superb rampart of mountains, many of which are extinct volcanoes of a conical form, rising majestically to the clouds, while the fore-ground is composed of hills well covered with trees. This is the first view of Kamtchatka.

At Avatcha lives, or probably lived, an old veteran pensioner, called Brantzoff, who remembers Captains Clarke, Perouse, and in fact, every stranger who has ever visited the peninsula. With this person the travellers dined, and it may be interesting to know, what the wife of an old pensioner gives to eat in Kamtchatka. They were treated with fine fish, roast ducks, berries, milk and butter, served up with neatness and cleanliness.

The banks of the Avatcha river are composed for the most part of fine meadow lands, or hills covered with birch. The grass in Kamtchatka grows commonly to the height of a horse's belly: a coarser kind on the declivity of hills and in swamps breast high. It is eaten only when young. For a short distance the travellers proceeded up this river in canoes; they landed on a desert island, boiled a kettle and made tea, the luxury of the country, and with the aid of fish-pie and biscuit, enjoyed a meal worthy of a more populous land. They slept aboard their canoes, wrapped up in their *parkas*, or loose shirts, made of rein-deer's skin, with the fur inside. On leaving the river, they found horses awaiting them, and made for an ostrog or village, where they rested.

The Toyune, or chief, that is to say constable, spread before them a table well covered with salmon, salmon peal, wild ducks, whortle, and other berries, for which the travellers paid in the only coin which appears to be current in the country, a small quantity of tea, and a few lumps of sugar, and received as many thanks as if they had paid him in gold.

The Toyunes seem to be the universal entertainers, and though their abodes abound in bugs, fleas, and cock-roaches, which, says Mr. Dobell, too often fall into the milk, and garnish their best dishes, yet fish, particularly salmon, game, and mountain-mutton always adorn the table with hospitable profusion. It would appear that fish is the staple commodity of this country; the author, as he was travelling through a wild but beautiful scene, between Mulka and Ganal, which is intersected by streams, says, that the rivers were so thick with salmon, that as their horses forded them, they almost frightened the fish out of the water.

'I was truly surprised at the immense quantities of fish I saw; not only

the river was crowded with live ones, but the shores were strewed with dead or half-dead salmon; and in many places the smell from them was very offensive. We had ordered fish for dinner; yet when the dinner was served, we were obliged to ask for it, our host thinking it quite too common to offer it to his guest.'—Vol. i. pp. 17, 18.

Men, dogs, bears, wolves, sables, birds of prey, and innumerable other animals, all live upon fish. In the height of the fishing-season the bears are fastidious, and will eat only the heads and backs of the fish they catch. One bear in this way will spoil from twenty to five-and-twenty fish in a night. As the fish get scarce, the bears get less nice. In this part of his journey Mr. Dobell saw several bears, and succeeded in shooting one dead. He was standing on his hind legs eating berries, which did not, however, appear to have agreed with him, for on opening his carcase to strip off his skin, his intestines were found filled with worms from four to six inches long, a circumstance which frequently happens in the berry-season.

A part of the route lay along the river Kamtchatka, a narrow rapid winding stream, divided into numerous branches, forming islands covered with trees, and presenting in every direction views of great picturesque beauty. Forests of birch clothe the country on each side, the banks abound in alders, and on the islands the balsam poplar greatly flourishes, and rises to a vast height. Pursuing this direction, the valley of Sherrom opened upon the traveller's view; a rampart of lofty mountains enclosed a space enriched with the most luxurious vegetation, and adorned by the branches of the Kamtchatka, on one of which stands the village of the same name. Here dwells the venerable Conon Merlin, Toyune of Sherrom, in a cottage, which, for cleanliness, for accommodation, and beauty of situation, might vie with any in the world. The point of honour in Kamtchatka is hospitality: the inhabitants are hurt and offended if the parting guest will not consent to load himself with their offerings. Old Merlin, when he could no longer persuade the travellers to stay, filled their canoes with eatables, and bade them adieu, standing on the bank with his bushy grey mustachios and venerable beard floating in the air, not an unapt representative of the enchanter whose name he bore.

At one point of the river the travellers arrived at the ballagans of Mashura: where, as in this instance, the village is at a distance from the river, the inhabitants remove to the banks of it for the summer, where they erect the description of hut called *ballagan*, which may be considered as one of the readiest modes of constructing a habitation where timber is not scarce. It may be

recommended to the notice of the half-pay colonels and captains who are congregating on the banks of the Swan River.

'A ballagan is a building of a conical form, composed of poles about fourteen to fifteen feet long, laid up from the edge of a circle about ten to twelve feet in diameter, the tops all meeting at the centre, and then tied with ozier twigs or ropes. The outside of the poles is then covered with bark of the pine, birch, &c. and oftentimes coarse grass upon the bark. Other poles are afterwards laid upon the bark, and grass to keep it in its place; and are also fastened with oziers. This kind of hut is generally erected on the centre of a square platform, elevated ten to twelve feet, upon large posts planted deep in the ground. Poles are again placed in rows under the building and between the posts, where they dry their fish, which the hut serves to cover from the weather, as well as to store and preserve them after they are dried. The door of the hut is always opposite to the water; the fire-place on a bed of earth outside, at one corner of the platform. A large piece of timber, with notches cut in it instead of steps, and placed against the platform at an angle of forty-five degrees, is the method of ascending and descending, particularly unsafe and inconvenient for those who are not accustomed to this sort of uncouth ladder.' —Vol. i. pp. 32, 33.

We have mentioned, under the general name of *berry*, the food in which bears delight in summer. The berry seems to be the Polar grape—when Britons painted blue, their dessert was composed of currants (called currant berry in the North), gooseberries (why?), and crabs. The Kamtchatkan can set before his guest a far greater variety of sylvan fruit. Mr. Dobell found in the woods red currants of a very large size and high flavour, though somewhat more acid than those of our gardens; besides these there are the raspberry, two or three sorts of whortle berry, *moroshkas* (Rubus hæmemorus), and, the most delicate of all, the *knejnika*, a species of wild strawberry, possessing a very high aromatic flavour. The berries of the mountain ash are better in Kamtchatka than in Siberia or Russia, as is also a small wild cherry called *cheroonka*. There is also the heath berry, and a red berry that grows on a very small shrub called in Russia *broosnika*. These are in great plenty; the cranberries are not only most plentiful, but the largest and finest of the kind.

At Klutchee, the travellers still navigating this beautiful river, is the volcano Klootchefsky, which deserves to be better known, if Mr. Dobell's report of it is to be relied on.

'At the back of the village rises the majestic volcano Klootchefsky, rearing his awful and flaming head a considerable distance above the clouds. This huge mountain, towering to the skies, is a perfect cone, decreasing gradually from its enormous base to the summit. Kloot-

chefsky may perhaps be inferior to Etna in size, but it certainly surpasses it in beauty. The summit is eternally covered with snow, and from the crater issues a volume of flame and smoke that streaks the sky for many miles. Sometimes quantities of fine ashes are thrown out, which fall almost imperceptibly, and impregnate the atmosphere, so as to be inhaled in breathing. The inhabitants informed me, that they affect the lungs, and produce a tickling cough, and a swelling of the glands similar to that occasioned by suppression of perspiration. When a pure flame issues from the crater of Klootchefsky, it is seen at the Tigil and Aleuters coasts, at the distance of three hundred versts. I thought the valley of Sherrom very beautiful; but here the sublime is so happily blended with the beautiful, that I gave the preference to Klutchee, and nothing can exceed the majesty and grandeur of Klootchefsky. The inhabitants also informed me, that this volcano had once thrown out a whitish clammy substance like honey, which stuck to the fingers, and was perfectly sweet to the taste, but disappeared about mid-day, when the sun shone out bright and warm. From their description of this phenomenon, I am rather inclined to think it must have been what is called the honey dew, which has fallen in other parts of the world, particularly in the Carolinas and South America. I could not forbear requesting the colonel to permit the boat to pass gently along without paddling, in order to feast my eyes on the magnificent scene before us. It is greatly to be regretted, that this sublime object is situated in such a remote corner of the globe. There are warm mineral springs on the river Klutchee, which I afterwards visited.'—Vol. i. pp. 39, 41.

At Nijna Kamtchatsk, the object of the author's expedition was answered: he spent a week with the hospitable governor, general Petrowsky, a fine old Russian gentleman, and then set out on his return.

The whole of this route presents a country almost depopulated, land adapted both for pasture, and the cultivation of the coarser grains abounds in every direction unclaimed and unemployed. It appears that formerly the peasants cultivated the soil, and got good crops of rye, oats, barley, &c., but at present they have deserted agriculture for the chace, which is both more attractive and more profitable. At Klutchee they have potatoes in great abundance, of a fine and large quality, also good cabbages, turnips, cucumbers sometimes, and also pumpkins. A people who are content to eat dried fish instead of bread, and can catch in a few days as much as will serve them for the winter, cannot easily be weaned from that mode of life. In the winter, if they are fortunate, they run down as many sables and foxes as will procure them *watky* (rye brandy), tobacco, and tea; they are perfectly indifferent to every other luxury.

During this expedition the traveller enjoyed four-and-twenty days of sunshine almost in succession, a state of weather he did

not expect to find in a mountainous country, in between fifty and sixty degrees of north latitude. Towards the last of September the nights were frosty but no severe cold occurred, or they could not have slept as they did in the open air in their canoes. But on the 1st of October on the return journey the snow and rain came down together, five or six days sooner than the ordinary epoch.

Mr. Dobell stopped on his return at the habitation of Conon Merlin (great names,) and has given us an interesting account of this happy Kamtchatkan menage. His ostrog had twenty-four men, but of that number seven or eight only were able to fish and hunt. Notwithstanding they caught fish enough for all the inhabitants of the village and the dogs, and also made hay to support seventeen cows and a horse. The Toyune's family consisted of a wife, two sons, a daughter, and a daughter-in-law, all of whom seemed to possess the same active disposition and industry that distinguished the master of the house. The following extract will give an idea of the manner of living in Kamtchatka.

'Merlin assured me that himself and his sons had killed twelve bears, eleven mountain-sheep, several rein-deer, a large number of geese, ducks, and teal, and a few swans and pheasants. "In November," said he, "we shall catch many hares and partridges; and I have one thousand fresh salmon lately caught, and now frozen for our winter's stock. Added to this, in my cellar there is a good stock of cabbages, turnips, and potatoes; with various sorts of berries, and about thirty poods of sarannas, the greater part of which we have stolen from the field-mice, who collect them in large quantities also for winter!" He then showed me two other roots, one called makarshina, about two inches in length, and the thickness of the little finger, covered with a rough, brown skin, and having, when pealed, a slight astringent bitter, with the flavour of a chesnut. The Kamtchatdales eat it raw. The name of the other root is kimsheega, a sort of wild potatoe, the botanic name of which I do not know. A plant of which the natives are excessively fond of eating in the spring, whilst young, is what is called in Russia *sloka trava.* When the centre stalk, which is hollow like that of the parsnip, runs to seed, and is stripped of the outer skin, it is very tender and palatable. These the Kamtchatdales call *pootchkee.* The stalks of their leaves are also hollow; but the juice is so corrosive, the natives when eating them always take great care not to let them touch the lips in putting them into their mouths. Should the juice touch the lips or any part of the face, it produces a blister, and eventually a sore resembling that occasioned by burning or scalding. I have seen this plant split and dried, when it appears to be somewhat impregnated with the saccharine principle, adheres to the fingers when pressed, and has a sweetish taste. The liquor distilled from this plant it said to be very good, but extremely intoxicating.'—Vol. i. pp. 54-6.

Mr. Dobell's intention being to reach Russia as quickly as possible, he waited with anxiety for the setting in of winter, the season for travelling in this quarter of the globe. He at length started on his journey—an undertaking not without its perils—on the 15th of January, 1813, in a *kibitka* or covered sledge, with the determination to proceed round the Aleuters coast to Ochotsk.

'My conveyance was by means of dogs; and a number of my acquaintances, all drawn by dogs, accompanied me twelve versts off to Avatcha. We formed a numerous party, and a very curious one, such as is seen in no other part of the world. The eagerness and impatience of the dogs, and the rivalry of the *kyoorshiks,* were worthy to be compared with the exertions of the high-blood coursers and jockies of Newmarket. Nor does the management and driving of dogs require much less skill and attention than are needed in the latter case to arrive at perfection, and the palm of victory. Our journey to Avatcha was literally a race; and a highly novel and interesting one to a stranger. My kyoorshik was a cossack who had made too free with the bottle, so that during the night, in going to Koraikee, he overset me four or five times. These frequent accidents so delayed me, that I did not get there until between three or four in the morning. Two Chinese servants accompanied me, who were also unfortunate in having had a drunken driver, and they complained heavily of being rolled in the *white hard water,* as they called it, until I taught them to say *snow.* As they were both natives of the country about Macao, and had never before seen snow, they were greatly surprised the first time it snowed, and ran to me to inquire what it was that came down so white, like feathers?'—Vol. i. pp. 66-7.

Early in his route an accident occurred which cannot fail to produce a strong impression in favour of the Kamtchatkan character.

'After leaving Tolbachik the roads were good, and we soon arrived at Oushkee. Here the inhabitants were few, and those few miserable. I therefore distributed some presents amongst them, which I had brought purposely. My distribution was nearly finished, when I observed a lad whose features I recognized, and immediately questioned him where he belonged to. He said, "I am from the Tigil coast, and have been sent here to assist travellers; and I helped to row you down the river last summer. As I have been always very busy, I have been but once at the chace, but I killed a sable, and I kept it on purpose to repay your kindness, for the knife and flints you gave me." When I observed that this poor fellow was misery personified, not a shirt on his back, and the skin dress he had on all in tatters, I refused to accept his offer. He burst into tears, and was about to leave the room, when I made him return, and took his sable from him in return for what I had ordered to be given him: at which he seemed quite happy. The Kamtchatdales are not only grateful for

favours, but they think it absolutely necessary to make some return for a present, and are highly offended if it is refused. One of my Chinese servants, who was a very good-hearted fellow, was so affected at the above circumstance, and the miserable appearance of the Kamtchatdale boy, that he went and brought one of his blue Nankin shirts, and made him a present of it.'—Vol. i. pp. 74-5.

There is a custom of earning a wife which we become familiar with in the Bible, but which it seems has grown up in these remote parts, or has been copied from some of the wandering tribes of Asia. It was at Oukinskoy that the Toyune told our traveller that he served three years for his wife under a very hard master, and nothing but the love he bore his intended could have made him support it.

'Should a young man fall in love with a girl, and that he is not rich enough to obtain her by any other means, he immediately enslaves himself to her father as a servant for three, four, five, or ten years, according to agreement, before he is permitted to marry her. When the term agreed on expires, he is allowed to marry her, and live with the father-in-law as if he were his own son. During the time of his servitude, he lives on the smiles of his mistress, which ought to be very benignant to enable him to endure so long the frowns of an imperious master, who never spares him from the severest labour and fatigue.'—Vol. i. p. 82.

We have spoken of Kamtchatdale hospitality: it has limits, but they are only those of the landlord's supplies. Families frequently pay one another visits which last for a month or six weeks until the generous host, finding his stock exhausted, is forced to give a hint to his guest to take his departure. He does not uncover a pair of spurs on the table, the border hint, because he probably never saw these humane machines for accelerating the speed of a generous animal—but he presents at dinner a dish which is called *tolkootha*, a kind of olio or hodge-podge, composed of a number of meats, fish and vegetables, all mixed together, and which it is not easy to prepare. The guests invariably leave the house the following day, and never take the hint amiss. Mr. Dobell speaks highly of the opportunities of establishing fisheries at Kamtchatka, and feels assured that if properly managed they would prove a source of wealth. The country though so far removed from all we consider civilized, is still in the neighbourhood of the most populous districts of the world. In ten or twelve days a passage may be made to any part of the Japanese islands, in thirty or forty days to the Sandwich Islands, to Macao, to the Philippines, or any of the Indo-Chinese Islands: in sixty days, to the north-west coast of America, California or the Islands of the great Pacific Ocean.

"There is," says our author, "no place more advantageously situated for commerce and no place which enjoys so little." The fact is that there is no population. "I asked" says Mr. Dobell, "the Toyune of Ouka, if he should be pleased to see a vessel arrive at his little port with a cargo of tea, sugar, nankin, and other luxuries."—"Those things" said he "to us who have so little, would be very acceptable: but I should be more pleased if they would send me a cargo of men; for, out of twelve or fifteen souls, which compose my ostrog, I have only five or six who are able to hunt and fish." As the traveller proceeds farther up the Peninsula, the thinness of the population increases and the log-houses give place to *jourtas:* when Mr. Dobell asked why? the answer was, we have no large timber near us and no people to go to a distance to procure it. The following is a description of this species of habitation. It closely resembles the hut of the ancient Armenians as described in Xenophon's Retreat of the Ten Thousand.

'A jourta of this sort is generally a frame of timber put into a square hole, four or five feet deep; and within the frame a quantity of stakes are set close together, inclining a little inwards, and the earth thrown against them. The stakes are left round on the outside, but hewed within, and the top is framed over in the same manner, and is arched and supported by stanchions. In the centre of the roof is a square hole that serves the double purpose of a door and a chimney, the inhabitants passing in or out by means of a piece of timber placed against the edge of the hole, with notches cut in it to receive the feet —a miserable substitute for a ladder. The top and sides are covered without with a quantity of earth, and sodded. At one end there is a large hole with a stopper to it, which is opened when the oven is heating, to force the smoke out at the door. When once heated, and the stopper closed, jourtas are warmer than most wooden houses, and were it not for the smoke, that is excessive, they would be comfortable winter dwellings. They are made of various sizes and descriptions; and some of them that have floors are really decent and bear something the appearance of a house under ground.'—Vol. i. pp. 90-1.

On entering the country of the Karaikees the character both of the scenery and of the inhabitants suffers a considerable change. Extensive plains occur, and the people wander in tribes accompanied by flocks of rein-deer. The traveller in crossing these districts is frequently visited with *poorgas* or snow-storms which rage with terrible fury and threaten destruction to the shelterless. Taught by necessity, the inhabitants have learned to predict the weather for four-and-twenty or even eight-and-forty hours. In case of the occurrence of one of these poorgas, the wayfarer gives the reins to the dogs, and if there is a rein-deer on the plain these saga-

cious animals are sure to direct their course towards it, and consequently to a *jourta* of the Karaikees. It was on occasion of one of these tempests that Mr. Dobell paid his first visit to the Karaikees. His history of it will be read with pleasure; it presents a striking picture of savage hospitality.

'The poorga raged with redoubled fury: the clouds of sleet rolled like a dark smoke over the moor, and we were all so benumbed with cold that our teeth chattered in our heads. The sleet, driven with such violence, had got into our clothes, and penetrated even under our parkas, and into our baggage, wherever there was the smallest crevice. At length, the Toyune's dogs began to snuff the air, bark loudly, and set out at full speed. It was like a shock of electricity. The rest of the dogs followed this example, and strained every nerve to keep pace with them. Our hearts now beat high; for we were sure the dogs smelt the reindeer, and this emotion had already infused a warmth through our veins, as we anticipated the happiness of finding shelter from a dreadful storm that threatened us with death. In about ten minutes more, we had the ineffable pleasure of finding ourselves near a large Karaikee Jourta, where we saw a fine fire blazing.

The Karaikees had all run out with their clubs and spears, to defend their reindeer from the dogs, which our drivers, benumbed as they were, could hardly keep from running on the herd that surrounded the Jourta. The Karaikees, who were to leeward of us, had heard the dogs for some time, and, anticipating our arrival, had already killed a fine fat buck, and the women were skinning him when we arrived. It was some time before we could shake the snow and sleet from off us, and enjoy the comfort of shelter and a fire. I now administered a dram of warm [illegible] to each, and the Toyune said, "This is the time to drink a glass, for should it not be to sleep, there is no danger of being frozen before such a good fire." The women engaged in skinning the deer saw to shift their wet, and then cut it up into several large pieces, and put them all into a large kettle to boil, which has been brought to the fire.

The host was a fine hospitable old man, who possessed a herd of [illegible] deer, [illegible] seemed [illegible] to have as to possess. He made us [illegible] some [illegible] warm near skins spread, [illegible] what was [illegible] the centre of the jourta. Behind us was a [illegible] hung [illegible] skins for me to sleep on. As soon as the deer was boiled, a large wooden trough was placed before us, and [illegible] were [illegible] the boiled and one of the [illegible] had been [illegible] from the horns which [illegible] the [illegible] in the [illegible] immediately [illegible] well fa- [illegible] [illegible] and [illegible] half a [illegible] [illegible] with

watky, and biscuit made of rye bread. The host took nothing but bread and watky during the dinner. He drank five or six glasses, which I thought would have made him drunk; but they seemed not to affect him in the least, and he drank two more after dinner without being intoxicated.

'After distributing some beads, needles, knives, and tobacco, amongst the family, I was quite surprised on looking towards the door, to perceive that the poorga had ceased, and fine weather had returned. I therefore took a walk to look at the herd of deer—many of which were so tame, they came to the keepers, and suffered them to stroke their heads. Our host showed all his sledges, and every thing I wished to see about his jourta, and seemed quite happy to gratify my curiosity. As we approached the entrance to the jourta, I observed two fine fat reindeer led up to us by two Karaikees, who held large knives in their hands; and the moment they got quite near to us, they plunged their knives into the sides of the deer, and laid them dead at our feet. The old chief immediately turned towards us, and bade my interpreter tell us that one of them was a present for me, and the other for the Toyunes who accompanied me. My interpreter, who was of Karaikee origin, found out at last that the host was a relation of his. This circumstance occasioned much joy, and was the cause of the death of another fine buck, to regale his relation.

'The Toyune of Evashka being in possession of an order from Government to collect the tribute and tax from the Reindeer Karaikees in that quarter, he made the interpreter explain his powers to the other Toyune, and ask him if he was prepared to pay them. He replied, that he would pay the tribute with great cheerfulness, but he could not pay the tax in money, because he had none, nor did he know how to get it, "I wish," said he to me, "as you are going to St. Petersburg, you would tell the Emperor, that the Reindeer Karaikees, though a wild people, are good loyal subjects, and are always ready to pay the tribute in furs, although they cannot pay him in money. Our habits of life," continued he, "are such, that we never buy or sell any thing for money; how then can he expect us to find it? When I want tobacco, knives, kettles, needles, or watky, I buy them with fox, sable, and deer skins; and I know nothing farther of trade: besides, I have heard, that, amongst you who trade for money, the effect often spoils the heart, and creates bad blood between man and man. I am glad, therefore, there is so little money amongst our Reindeer Karaikees, who are warm tempered." I was struck with the full force of the reasoning of this untutored man, who convinced us also of his generosity, by the ample return he made for the few trifles I gave to himself and family. After having made this speech, which was delivered in a serious tone, he ordered a bundle of fox and sable's skins to be brought, and, throwing them at the feet of the Toyune, "There," said he, "is our tribute. Let the interpreter write me a paper, and do you sign it, to say you have received it."

'This request having been complied with, and the afternoon being very fine and serene, we deemed it best to resist the kind invitation of

the Karaikee chief to pass the night with him, and proceeded on our journey, as we were now not far from an ostrog.'—Vol. i. pp. 102-7.

The Karaikee prince, Zachar, with whom Mr. Dobell fell in, and who accompanied him a great part of his route, and rendered him numerous services, is an interesting character. There are several anecdotes concerning him, which display virtues which would do honour to better opportunities. One trait described by our author might be read in Plutarch, and taken for an anecdote of the days when men were heroes, or made so by their historians.

'A circumstance occurred whilst we were at Govenskoy, that inspired me with respect for the greatness of soul, the courage, and the *sang froid* exhibited by my friend the prince Zachar, and revealed to me at once the cause of the great influence he possessed over the Karaikees of that coast. My Klutchee Kyoorchicks begged of me to give them some watky to buy reindeer skin, parkas, and boots; and one of the prince's men, who had drunk rather too much of it, became quite furious. With a large knife in his hand, he sought the prince, crying out that he was an unjust man, and he would stab him. The other Karaikees tried in vain to stop him until he had got quite near to the prince's dwelling, when he called with all his force, "Come out, Zachar, if you dare: I am prepared to kill you!" Zachar, who was quietly drinking tea with me, heard all of a sudden this extraordinary summons (and which the interpreter immediately explained to me). The prince put down his cup of tea, and, rising slowly from his seat, went out of the jourta. I followed him closely with a pair of loaded pistols, which I always kept ready in case of necessity. When he perceived that I followed him, he desired the interpreter would tell me not to interfere, as he would very soon settle the affair himself. During this time the drunken Karaikee foamed with rage, and was trying to extricate himself from the crowd that surrounded him. Zachar, who had already thrown off his parka, now unbuttoned his shirt, exposed his breast, and ordering the crowd to stand aside, advanced boldly up to the Karaikee; and then with a terrible voice, and an undaunted contenance, he said to him, "Here is the breast of your prince; strike at it if you dare!" The Karaikee seemed thunderstruck! He raised his hand, but he was afraid to strike, and the knife fell to the ground! "Coward" said Zachar, "you have saved your life: for if you had aimed a blow at me, I would have thrown you down at the same instant, and your own knife should have drawn out your heart's blood." He then ordered his men to confine him until he should be sober, and returned with me to finish his tea. I asked him how he could be so imprudent as to expose himself to a mad drunken fellow, without any thing to defend himself? He answered with a smile, "I have more strength and coura twenty such miserable fellows. He might have wounde in the arm through my warding off his blow; b

thrown him down immediately, and killed him with his own knife." I could not help admiring a man whom nature seemed to have formed to command, seeing that he could calm so quickly the fury of a drunken savage.'—Vol. i. pp. 111—14.

The Karaikees are divided into two classes, the Reindeer and the Sedatchee; the latter live in settled habitations, and are an inferior race to the Reindeer or pastoral Karaikees. The Karaikees are not a clean people, but of the two, the settled Karaikees are most filthy: Mr. Dobell has seen the meat fish which been buried the whole winter, and which when opened in the Spring, tainted the air for a considerable distance: with their berries they consider seal-oil a delicacy. The *jourtas* of both are smoky and dirty; tobacco is in constant use, and of *watky* they are immeasurably fond. The women take tobacco in a very curious manner: it is first ground into powder, and then they rub it upon their gums. With the tobacco they generally mix birch leaves, which, it is said, heightens the flavour of *mundungus*. One of the Karaikees asked Mr. Dobell for an antient leather bag, in which he had long kept tobacco: he cut it up into morsels, and chewed it, instead of his tobacco, which was economically reserved for future use. In exchange for this herb, our Author found no difficulty in procuring reindeer; he was, in fact, loaded with venison for a few pounds of tobacco. Their *bread* is made of the fine pounded bones of their deer, with the marrow in them, and mixed with a portion of meat and fat. It is tolerably well tasted when eaten with salt, and would be, says our Author, really delicious, if it were not for a smoky flavour which it contracts from the place in which it is prepared. On one occasion a chief had been paid in *watky* for some services he had rendered, and it produced the desired effect; he got exceedingly drunk, and fell asleep: when, on another occasion, he was paid in the same liquor, Mr. Dobell's servants diluted it, and the chief drank, and drank, and still found himself not drunk, which so inflamed his wrath, that he rose up, entered the traveller's abode, and violently charged him with a breach of bargain. He was not, he said, as drunk as he ought to be. Few things attracted their attention so much as Mr. Dobell's trunks, covered with lacquered leather, and full of brass nails: they excited their astonishment, and proved a fund of amusement along the entire route. Bets were frequently made as to the number of nails they contained, and they were counted over and over a hundred times with the greatest care. The character of a Karaikee and a Kamtchatkan must be kept distinct; the former is proud, irascible, and vindictive; the

Kamtchatkan, is on the contrary, mild, good, and of a temper not easy to ruffle.

The rein-deer has been called the horse of these countries; it is, however, rather the ox. He is in Kamtchatka, incapable of fatigue, is difficult to manage, requires great rest, frequently lies down in the snow, and for draught is altogether unequal to the dog. The distance performed by a team of dogs and a *kibitka*, in a day, is really extraordinary; forty or fifty versts are travelled, day by day without an effort, and sometimes nearly twice as much. It is attended with some little risk, for if they fall in with the track of a bear, or catch the scent of a reindeer, they are off, and no driver can command them. His only hope is, that of jamming the vehicle between the trunks of two trees, for the dogs do not, in the least, regard the weight they are dragging behind them. Forage is carried along with them; they feed upon dry fish, and are capable of supporting both hunger and fatigue. Mr. Dobell has recorded many interesting anecdotes respecting an animal as yet not fully appreciated.

The difficulties of the traveller's journey increased the farther he advanced; he was leaving the better parts of Kamtchatka, and before he arrived at the more inhabitable parts of Siberia, he had to pass a country, which in winter requires great caution, stores of provision, and good guidance, in order to traverse with safety. On one occasion, he was lost among the wild and uninhabited regions of the mountains, near the Aleuters coast, and it was only by great perseverance and exertion, that he and his party were saved from perishing. Their safety was owing to their meeting with a river, the stream of which they followed for five hundred versts; and which after many days and nights of peril and adventure, led them into the neighbourhood of an inhabited district, in a condition of extreme exhaustion. The authorities were, however, active, and the inhabitants benevolent: and after the lapse of some time, Mr. Dobell recovered sufficiently to proceed to Ochotsk, a town on the coast, where the Russians keep a naval dock-yard: Yakutsk, is his next point, and then Irkutsh, Tomsk, and Tobolsk; where, or at least soon after, he leaves the reader, considering that he is then entering upon a part of Russia at least better known than the one he had been travelling in.

The town of Ochotsk is composed of two hundred and thirty-five houses, having about one thousand four hundred male inhabitants, besides women and children. It is situated on a small sand-bank, bounded on one side by the sea, and on the other by the river Ochota), which is in fact a perfect honeycomb, through which the waters of the river are perpetually

oozing. It is not possible to have a cellar or apartment under ground without its being immediately filled. Fresh water, for the consumption of the inhabitants, is brought every day in boats. Mr. Dobell considered the situation of the town as one of extreme danger, and since his first visit it has been removed to another position. Corn is conveyed to the town in bags, called *sumas,* which are carried on horse back. A troop of thirteen or fourteen of these horses, each carrying six poods weight of flour (pood=36 lb) are intrusted to the care of a couple of men. The *sumas* are bags made of green hide without the hair; the flour is forced as lightly as possible into them while they are damp, and when dry the surface is as hard as a stone. On opening them the flour, for about half an inch deep, is attached in a hard cake to the bag, and if originally good it is perfectly preserved, and will keep a long time. From ten to thirty thousand horses, according to circumstances, arrive at Ochotsk annually, carrying liquor, flour, naval stores, and merchandise. After being thoroughly recruited, Mr. Dobell prepared for his journey to Yakutsk, a distance of one thousand and twelve versts, and it cost him some days to furnish his baggage with leather coverings, to hire his Yakut Yeemshicks, or drivers, and secure horses both for saddle and burthen. On the road he procured a good stock of milk and butter, which he carried in the Yakut fashion, in two leathern bags made of horse hide, and called *simmire.* The Yakuts mix sour milk and cream together in those bags, which, after they have travelled a few hours on horse-back, becomes butter and butter-milk; the butter collecting in small lumps from the size of a pea to that of a marble. A Yakut drinks the butter and butter-milk together, or eats the butter in handfuls with his boiled meat, and in such quantities, that Mr. Dobell is afraid to state them. He, however, afterwards becomes more bold, for he tells us [vol. ii. p. 41] that a gentleman who has lived many years among them, assured him that he has seen at a wedding-feast, the great butter-drinkers consume from twenty to thirty pounds per man. The master of the house deems himself delighted, to see half a dozen great butter-drinkers come to his feast, and then contend with each other in gluttony. The Yakuts are nearly as fond of horse-flesh as of butter; pitching the tent for the night, travellers are obliged to keep watch lest their horses should be stolen and eaten before they are up in the morning. A fine mare, belonging to Mr. Dobell's Yakuts, got staked during the journey along the extraordinary roads they are obliged to pursue: though it was a severe loss to them, yet they seemed to find ample consolation in the delicious fare it promised them

for several days. If the reader be inclined to doubt the existence of beautiful scenery in this part of the world, we recommend to him Mr. Dobell's numerous descriptions of lakes among the mountains, of rivers tumbling into the valleys or peacefully flowing between banks clothed with rich pasture, or the graceful poplar; of lofty peaks, and ranges of hills assuming the most singular and striking forms. By way of specimen we will quote his description of scenery along the stream called Queuinquee, among the Seven Mountains, and on the mountain called by the Yakuts, Unikan—said to be the highest in all Siberia.

'We left this place on the morning of the 1st of August, my guide informing me we had several of the highest mountains of that part of Siberia to cross, which it would cost us two or three days' to perform, as some of them were so steep that we should be obliged to walk. The first we ascended, by the course of the small river Akra, was one of the Sem Khreptoff, or Seven Mountains, also called by the Yakuts Cettadavan. These, as well as several others in their neighbourhood, are entirely composed of black slate rock of a good quality; but being far from water-carriage, in a country thinly peopled, they are like many other valuable objects in Siberia, neglected. We descended from the summits of the Seven Mountains, along the course of a most wild, romantic, and beautiful stream, called by the Tongusees Queuinquee. It forces a winding passage through a deep chasm between the mountains, leaving a narrow strip on either side, barely wide enough for a horse-path. Above this path are steep, broken, and impending cliffs, which are covered with moss, and crowned with forests. The waters either rush swiftly in murmuring eddies over a rough bed, or violently burst in cataracts through cleft rocks, making the country round re-echo to their roar, and forming a most picturesque and enchanting scene. The traveller is filled with terror as well as admiration on beholding the immense ramparts that rise around him to the skies, moulded into uncouth and curious shapes, and covered with a tremendous foam above his head. In other parts the whole body of the stream fell suddenly in cascades of fifteen to twenty feet; and, in short, the result was such an endless variety of cataracts and waterfalls, surprising and charming the beholder at every step, as I have no where seen in the course of any river.

'After passing the Seven Mountains, we came to another, the highest and steepest of all Siberia, called by the Yakuts, Unikan; and, as we were obliged to lead our horses, we were completely tired ere we attained its summit, towering above the clouds. Being elevated beyond all the rest, we had a view to an immense distance around, where there was not a plain or valley near enough to be distinguished! Rough, misshapen heaps appeared on every side, thrown up in such huge broken forms, I could compare their aspect to nothing but that of a boisterous ocean. Let the reader imagine a

liquid earth, in monstrous agitation, moved by a mighty tempest, with mountains for the waves, rearing up their rocky uncouth heads to the skies, and in this rude form consolidated;—he may then bring to his mind's eye; the prospect from the summit of Unikan. Nor could I help fancying it resembled that chaos from whence the Omnipotent bade our incomparable globe to start forth, and assume the varied and pleasing form that now delights our eyes with its endless novelty. We descended by the course of a rivulet of the same name, and over the worst roads that can well be imagined. At the mountain foot the horses were half-leg deep in mud; and in other spots sharp pointed stones so thickly covered the way, the poor animals frequently wounded their feet and legs in spite of the best precautions.'—vol. i. pp. 325, 328.

At one point of his route our traveller came upon several *jourtas* beautifully situated on the declivity of a hill, with large rich meadows spreading before them. On inquiry he was informed they contained a colony of exiles. They appeared exceedingly well off; living on the banks of a river abounding with fish and game, in comfortable dwellings, and amidst fine pastures and good soil; though they might be deficient in luxuries, they cannot fail to meet with an ample supply of all the necessaries of life. These people call themselves Passellencies, or colonists, and are styled in Siberia, Neshchastnie Loodie, or unfortunate people. The government protects them from every species of insult, and it is said, labours to give the convicts opportunities of commencing life afresh. Mr. Dobell, on occasion of this incident, indulges in some warm eulogies on the Russian penal code, which we wish it deserved. In fact we detect expressions, and a tone of respectful deference to the Russian autocracy in this portion of his work, which leads us to think he has already transferred his allegiance, and that he is looking for promotion in the very improvable part of the world he is describing.

The cold in the province of Yakutsk is in winter extremely severe; it is considered the coldest portion of Siberia, the thermometer sometimes stands at 44° of Reaumur below the freezing point. Mr. Dobell had an opportunity of observing some of the winter habitations of his Yakutsk convoy; the road lying near them, he was prevailed upon to pay a visit to their families. He found them large, substantial, comfortable dwellings, containing several apartments to accommodate their cows and horses in winter; they were built of hewn logs, firmly put together, the roof and sides being well covered with turf, and plastered over with cow-dung. The windows were few, and those very small, the shutters fitting tight like the dead-lights of a ship, in order to exclude the cold. For the same purpose, and

in order to admit a portion of opaque light, the inhabitants sometimes cut large blocks of ice the size of the window frames, which they insert, and the frost quickly fixes them, and there they remain till the Spring. On his return from this visit, the traveller was sitting at the door of his tent, on a seat composed of his baggage, when the Yakut and his family appeared before him, bearing presents of sour milk, fresh milk, butter and cream, and leading a young bullock, between two and three years old, that was knocked down, and his throat cut before Mr. Dobell could possibly prevent it. These people lead a pastoral life, and living in a country abounding in meadow and pasture, they turn their whole attention to rearing horned cattle and horses: milk, prepared in various ways, is their principal substance, and their favourite beverage is *khomiss*, an intoxicating acidulated liquor. The best kind is made from mare's milk. The birch-bark tub, which contains the *mother* by which fermentation is produced, and which is valued according to its age, is handed down as an heir-loom from father to son.

At the time of our Author's first visit to Yakutsk, that town was composed of 270 houses, 100 jourtas, five churches, and a monastery, independent of extensive government and public buildings. Since that period it has been much enlarged and improved. The average heat of summer does not exceed 16° Reaumur, yet it is sometimes as hot as the climates of the torrid zone. The principle vegetables cultivated are potatoes, cabbages, turnips, radishes and other roots: the cucumber here, the coldest spot in all Siberia, rarely succeeds except in hot-beds. Innumerable herds of cattle are reared in the neighbourhood of the town, and the river Lena supplies it abundantly with fish and waterfowl, and the country round with game. Iron, salt, and several other minerals are found in this province. Talc is found in great quantities, and in the eastern parts of Siberia is generally used for window glass. The river Lena and all its tributary streams, are remarkable for the fine flavour and abundance of its fish: the lakes are filled with carp and tench. In 1827 strelitis, white-fish, &c., were selling at from six to seven shillings per pood, or 36 English pounds, and beef at half a crown the same weight. "Notwithstanding" says Mr. Dobell "the severity of the winter in this province, it may truly be called the garden of Flora, nor have I ever seen in any country a greater variety of beautiful wild flowers, than are profusely spread over the country about Yakutsk and the country between it and Ochotsk."

The continuation of our Author's course lay along the banks of the Lena, which he ascended for two thousand three hundred

and seventy versts, partly on horseback, on sledges, and sometimes upon the ice of the river. This very considerable distance does not exceed above half the length of this fine river from its source near the Baikal to the Frozen Ocean. Mr. Dobell considers it one of the safest navigable rivers in the world; between the lake Baikal and Yakutsk, where our traveller first encountered the Lena, it receives no less than from fifty to sixty rivers and torrents: many of the former are navigable. It runs through a country from Yakutsk to Katchuk of the most striking features: and which is capable of great improvement, which we are glad to hear has not only commenced, but made very considerable progress in the interval of Mr. Dobell's visits. In 1826 he was surprised to find that agriculture had made its way even to the tops of the very mountains, which when he had passed before were covered with forests.

On approaching Irkutsk, Mr. Dobell's Chinese servants were exceedingly astonished to find themselves all of a sudden in a country without snow, and amongst a people who were Chinese in all but dress and language; they could not conceive how a race so evidently kindred with their own did not speak Chinese.

The number of inhabitants of Irkutsk considerably exceeds fifteen thousand souls: it is the residence of the Governor General of Eastern Siberia, and the Governor of Irkutsk. The necessaries of life abound, and are exceedingly moderate in price. Even the wines and luxuries of Europe may be had at a charge which astonishes the stranger by its smallness.

The town is well-built, populous, cheerful, and is not deficient in agreeable society. These are undoubtedly not without their value in the heart of Siberia. Among other public establishments is a large brick building, containing the workshops of the exiles. Here all sorts of tradesmen are busily occupied, and are provided with comfortable apartments, clean clothing, and wholesome food. The cloth manufactory is carried on by the convicts on a great scale, and Mr. Dobell expresses extreme satisfaction at the cheerfulness and gaiety which seemed to reign in this busy scene. The cloth is made from the wool and hair of the Buretta sheep, goats and camels. It costs the government a rouble the arshin: it is sold at two roubles. The difference supports the hospitals and other institutions.

The climate of Irkutsk is the mildest of all Siberia. In ordinary seasons the thermometer of Reaumur seldom exceeds 30° to 34° of cold, and this but at short intervals. On Mr. Dobell's last journey from Irkutsk to Krasnoyesk, in January 1828, the coldest winter that has been known in Siberia for many years, the spirit of wine thermometer fell to 37° of Reau-

offence without offending? But the Bishop damaged his own sanctity for the good of others; he walked or rode about in quest of sin instead of holiness, that through his neglect of the duties of the Lord's day, the trespasses of others might be corrected. Inclination said, "Hie to thy study and read divinity, or hold communion with thy inward soul;" but devotion, not to heaven but to the reformation of sinners, cried "haste thee to the Green Park, and see the boys play at ball, and make contemplation of the mackarel and green stalls of Clare Market, the doings of the basket-women, and the abominations of the butcher." The sacrifice of the religious duties of the Sunday to the common weal must have been extraordinarily painful to our Bishop, who had probably some fearful doubts whether the command "to keep holy the Sabbath-day" did not peremptorily forbid the application of it to the apprehension of sin. We assume that the Bishop witnessed all the abominations he describes, because he could scarcely have credited wickedness he deems so great on relation, and because he could not, with any decency, have employed others in the observing office, which we suppose him to have performed. Had he requested any other, in whom he had trust, to go into markets and pleasure places, to take note of traffic or of riot, the answer of the elect would surely have been, "This is the Sabbath of the Lord, and you know, right reverend Sir, that I must devote it to the good of my own soul, rather than to the espying the transgressions of the wicked. I may not trouble the frame of my mind with the offences of the ungodly; I may not disturb the pious composure suitable to this day with the noise of Mammon, or the spectacle of illicit pleasures. Neither the chink of traffic, nor the gauds of vanity are meet for my temper on this Sabbath of pause from worldly uncleanliness, and the chafings of displeasure. I would rather cleanse my own soul than espy the foulness of my neighbour. I would rather seek good than see ill. I would not ruffle the calm of pious charity with thoughts of the misdeeds of the wicked, and would not plant my footsteps in their path, but walk in the peace of righteousness. I am too great a sinner, Oh! Lord Bishop, to have hours of this blessed day to spare in noting the sins of others."

As this answer must have been anticipated by the Bishop, had he for a moment meditated the employment of another person, it is quite clear to us that our Right Reverend Father must himself have taken the reconnoissance of the fields and works of Satan, but allowing that he had godliness to spare for this ungodliness—granting him a dispensation from the devout observance of the Sabbath, conceding to him an indulgence for the seeking of

scenes of worldly tumult and vanity, there is yet this further consideration, that in the very act of witnessing the offences, the Bishop's presence must have appeared to sanction them. What thought the boys at ball in the Green Park, when they saw the Bishop the Sunday observer of their sports? What thought the basket-women in Clare Market when they beheld the Right Reverend Personage treading his way through their uncleanliness? Did his rambling seem to them a divine occupation? Did it suggest reflections on the strict observance of the Sabbath, and its entire appropriation to pious offices, and serene and serious contemplations? The Bishop's example has been an ill one, and we too much fear he has fallen into a snare of Satan through the conceit of zeal over much. Are we not instructed not to do evil that good may come of it? and should churchmen roam and ramble in busy or idle places, breaking the Sabbath for the correction of Sabbath-breakers? Fie upon it! The pursuit is obviously of a kind "inconsistent with the tranquillity and frame of temper in which the duties and thoughts of religion should always both find and leave us;"—the words are quoted by the Bishop, and reprehend his own prying exercises on the Sabbath.

The Bishop begins his pamphlet by stating, that occasions of "peculiar and pressing exigency" may impose upon him the obligation of addressing the people of his diocese.

'When an evil of great and crying magnitude threatens the well-being of religion amongst us, and that evil is most conspicuous and formidable in this Metropolis; when the number of the parochial clergy, whose special duty it is to watch and to oppose its progress, is notoriously and lamentably inadequate to the extent of the province intrusted to them; and when the nature of the evil is such as to require a speedy, a zealous, and a general resistance on the part of all sincere Christians; it seems to me that I cannot justly be accused of forwardness, if I raise the voice of authority in the cause of God and of his Gospel; especially when it is considered, that the more unusual such a warning is, the more likely it is to meet with attention. The evil, of which I speak, is the profanation of the Christian Sabbath; an evil which has often been noticed and deplored by good and pious men at different times within the last hundred years, but which now bids defiance to remonstrance and authority, and seems to threaten the destruction of all religious habits in the lower classes of society.'—pp. 1, 2.

It seems to us that the Bishop has misplaced his main anxiety when he fixes it on the poor. He proceeds to blame the rich for setting their inferiors the example of Sabbath-breaking, and if both are guilty of the same sin, the main concern should surely be for the former. The rich have great difficulties to

contend with in the heavenly path. Wealth, which Bacon calls "the baggage of virtue," is to them a very heavy impediment, and any Sin the more must fearfully emperil their progress. Is it not easier for a camel to pass through the eye of a needle than for a rich man to enter into the kingdom of Heaven? and consequently, when a Bishop perceives the rich committed to a common fault with the poor, should not his chief anxiety be for those whose condition is of the greatest danger? From the language held, a person ignorant of Scripture would infer that the gates of Heaven offered as much preference to the rich as the church-door. But on the contrary, we know that the poor have many promises of advantage in a better world, and, offences equal among rich and poor, the anxiety of good divines should rather be for the correction of the rich than the poor. In healing the sick, the greater attention should be to the poor, because their aids and comforts are slenderest; but in the cure of souls, the first correction is due to the rich, in consideration of their state of peculiar peril; and benevolent bishops should regard even their smallest faults as of the first moment, and calling for the loudest warning, or most peremptory reprehension. Yet for some cause, unexplained, this does not seem to be the system of pastoral care. Perhaps the case of the rich is considered past remedy, the needle-eye-impassibility may preclude hope, but yet bishops accumulate wealth, and kings are assured of Heaven.

Our Right Reverend Father observes, that the number of clergy in his diocese is inadequate to the resistance of "the great and crying evil" of which he writes; an evil which he shortly afterwards argues, will lead to the gradual decay of national prosperity, or some sudden visitation of calamity. Considering the magnitude of the danger contemplated by the Bishop, we marvel at his contenting himself with the publication of this shilling pamphlet. Why does he not propose to increase the number of the clergy, bewailed as insufficient, by applying a large portion of the revenues of his see to the maintenance of new recruits? Can he see the peril to religion and the state, and keep his wealth in his coffers, or expend it in idle pageantry? Setting aside his Christian sympathies, will he leave his children (all bishops have children) an inheritance among a people of infidels, threatened with a visitation of the divine wrath?

It was perhaps prudent to try first the effect of a shilling pamphlet, but should the observance of the Sabbath not be improved by the present unexpensive expedient, our Right Reverend Father will surely call upon the legislature to permit

him to appropriate the revenues of his see to increasing the number of clergy in his diocese, the insufficiency of that body being the cause of the mightiest danger, spiritual and physical, that ever impended over a people.

A great fault which we have to urge against most exceedingly pious persons is their profaneness, and doubtless the Bishop of London has shocked even the Sabbath-breakers he reproves, by his representation that the glory of God is concerned in this question of the strict observance of the Sunday. Can the Bishop for one moment suppose that the play of idle boys at ball, the sale of mackarel, or boating to Richmond, can have any effect on the glory of God? In our miserable earthly glories how insulting it would be to represent the glory of one being as dependent on the conduct of another, and how immeasureably more offensive is the idea which supposes this connexion between the Deity and his creatures. What a dehortation from marbles and chuck-farthing is the glory of God! Compare for a moment the base quality of the forbearances required, and the impossible damage to which their commission is alleged to tend. This is indeed blasphemy, but nevertheless we should regret to see it prosecuted by the Society for the Suppression of Vice, or the whig Attorney-General, or indeed any other instrument, than the censure of public opinion.

We shall now pass to the Bishop's statements. "The first offence against public decency which I shall notice," says our Right Reverend Father, "is the traffic which is carried on during the greater part of the day in all the different articles of food." When we read this preface, we made sure of some commentaries on the Gunters, Jarrins, and Granges; the church we thought, is coming down on the Confectioners, the Fishmongers, the Poulterers, and the Fruiterers,—but no, the Bishop goes to market. He scarcely gives a passing notice to the sins of luxury in the shops of fashionable custom, and marches straight to the stalls, and the sheds, and the barrows, where his piety lets itself loose upon the poorest traffic of the meanest traffickers. He blames the camels for setting a bad example to the fleas. He sees the camels loaded on Sunday with the supply of turbot and lobster, ices, spring chickens, and ducklings, but he cries not 'What needle will admit you through its eye if you embarrass your natural corpulency of sin with this additional devil's geer?' To Dives purchasing a Sabbath salmon he can hardly spare a passing notice, but how his vision is filled with the enormity of *Lazarus* bargaining for a sprat. Yet the lean Lazarus has a better figure for a needle's-eye than Dives, and one would think that the more difficult case required the preference of care.

As we have intimated, our Right Reverend Father passes by the shops which minister to the indulgence of the wealthy, and directs the course of his indignation against the markets which supply the necessities of the poor. But here again he makes a characteristic selection. Of all the markets from Hyde Park Corner to Temple Bar, from the New Road to the Strand, the market most void of genteel custom is Clare Market, and on it accordingly the Bishop vents his rage.

'In spite of prohibitions which are almost forgotten, and of penalties which are now oftentimes too trivial to be worth enforcing, the markets are full of buyers and sellers. A few shops are partially closed in some of those places of resort; but in Clare Market there is not the least show of respecting the day; an unusual degree of activity seems to prevail, and an ostentatious disregard of the Redeemer's command, *labour not for the meat which perisheth, but for that meat which endureth unto everlasting life.*—John vi. 27. In the public streets, also, nearly every shop which is occupied by a butcher, a baker, a cook, a confectioner, a green-grocer, is open during the whole morning of the Sunday, and many of them throughout the day; and all this in defiance of the laws which either prohibit or restrict the carrying on of trades or callings during the Lord's Day. But the irregularities of this kind, which occur within the limits of the two cities of London and Westminster, are trivial, compared with the shocking profanation of the Sabbath which goes on in the populous suburbs of the Metropolis. The vast parishes to the east and north-west of London in particular, where there is but a scanty provision for the religious instruction of the people, where there are few persons of property resident, and where the parish officers are quite unequal to the superintendence of their respective districts, present the most frightful scenes of depravity and ungodliness, upon the day which the Lord calls his own. In the neighbourhood of the New-Cut, on the Surrey side of the Thames, the sale of provisions on Sunday is one of many open violations of decency, which have called forth, from several respectable inhabitants, an earnest representation to the Secretary of State, of the evil which results from the want of power in the magistrates.'

It would repay the reader's trouble (saving the Sabbath-breaking) to go and observe the ostentation of Clare Market. The mackarel and scraggy joints for the poor, are set forth there with an offensive boastfulness. How differently do Taylor's fish demean themselves, modestly shrouded in ice or cool water, while the dabs or plaice in Clare Market impudently shew their venal bosoms to the Sabbath sun. Oh, their offence is rank and smells to heaven.

And here, as in parenthesis, we must observe, that we wish these things were avoided, but we would begin the prevention

of supply with the luxuries of the rich, and not with the necessaries of the poor. More of this in another place.

The Bishop proceeds to state,

'A gentleman, who had personally inspected various streets and public avenues to the north-west of the Metropolis, counted no less than four hundred and seventy-three shops, of various trades, open for business on the Lord's Day, besides stalls for fruit and other articles of consumption.

"A Gentleman,"—A sinner, by your leave, my Lord Bishop; a Sabbath-breaker, a bringer down of judgments on the land, a damager of Heavenly Glory! Is it possible that a Bishop, full of zeal for the proper keeping of the Sabbath, can have heard this evidence without perceiving the quality of the witness; Was not the obvious remark suggested by duty, "And Sir, how came you to employ your precious Sabbath hours in counting four hundred and seventy three shops besides stalls? Oh Pharisee, while you have been espying the four hundred and seventy three motes in thy brethren's eyes, thou hast failed to note the enormous beam in thy own. Let him who is guiltless throw the first stone, and it is not for the curious counter of open shops on the Lord's day to reprehend improper employments on the Sabbath. Your knees, Sir, would better have been bent in prayer, than exercised in carrying you up and down to note the errors of your neighbours, and the espying of faults is not the occupation prescribed to pious Christians for the day of rest, charitable thoughts, and meditation."

These strictures, consistent with the rules proposed, never occurred to the Bishop, who, in his avidity to receive evidence of ill, overlooks the action of the witness that rendered it.

Further,

'In the outskirts of London, and especially on the Surrey side of the Thames, and in the neighbourhood of the Parks, Sunday is marked by the resorting together of youthful profligates of both sexes, for the purpose of fighting, pigeon-shooting, gambling, and all kinds of improper pastimes. Even in the Green Park, during the time of Divine service, troops of boys are playing at ball and other games, unmolested. A more respectable class of Sabbath-breakers (if indeed they can be called more respectable, who, with better opportunities of knowing their duty, neglect the doing of it), resort, not to any place of worship, but to the public-houses and tea-gardens, which are within a walk of their homes; while many, who can afford it, spend their Sunday in an excursion to some more distant scene of festivity and revelry. This may be done at a very trifling expense by means of what are usually called "the short stages." The principal streets of the town are kept in a continual rattle by the passing and repassing of these

noisy vehicles, which disturb our public worship, and afford too great facilities to many, who ought to form a part of our congregations, to desert their Sabbath duties. Nor is it only by land that this profanation of the Lord's Day is carried on. The steam-packets up the Thames to Richmond, and downwards to Margate and the Nore, are crowded with gaily dressed Sabbath-breakers. It has been stated, that in the month of August last, six thousand persons availed themselves of this convenience to take their pleasure, as it is called. A waterman, who lives near my own house, has told me, that he has known more than five hundred boats pass under Putney-bridge on a fine Sunday, carrying parties of pleasure. To this I may add, that on the Paddington canal business is carried on at the wharfs, and the boats are loaded and unloaded upon the Sunday as upon the other days of the week; and the excuse alleged by the masters is, that their workmen are thus kept out of mischief.'—pp. 14, 15.

"The nearer the Church, the nearer the * * *," says the vulgar proverb. A waterman who lives near the Bishop's house cannot better employ his Sunday leisure than in counting the boats passing through the bridge, and the Bishop tells the sad tale without any apprehension of the scandal. In such a case the Bishop should have delivered himself to this tenor, bearing in mind that the waterman was not a gentleman, and therefore that another sort of rebuke than that we have above imagined, became his plebeian iniquity.

"Fellow, you had been far better employed on that sacred day in counting beads like a Catholic, which is the same thing as a dog, than in counting your neighbour's sins. They were taking a forbidden pleasure, innocent compared with yours, which was purely idle or purely censorious. It is shocking that a waterman, living so near my own house, should have made so ill a use of his Sunday's leisure, which ought to be applied to the examining and chastening of your own soul, for whose correction all your own care will not more than suffice. Have you counted your own sins and omissions—have you counted the occasions of spiritual profit you have lost in my church—have you reckoned your redemption—if so you may spend a Sabbath in counting boats through Putney-bridge; but if not, O man of a bad employ, you are rowing one way and looking another—yea, indulging in the profane idleness you note. It is true that living near my house you may have heard that I, your Bishop, perambulate and walk up and down to parks and markets, to espy the ungodliness of the land on the Sabbath-day, but the devotion of the superior clergy must often be the devotion in the nature of a sacrifice, and we leap into gulphs of iniquity for the sake of the common weal. The healing physician risks disease to cure disease. But away with you, man, and reckon

the mercy of heaven before you again waste your Sabbath hours in counting the offences of man."

The fear of some sudden visitation of calamity has so disordered the perceptions of our excellent Bishop, that he fails to perceive the tendency of his own positions. Thus he remarks:

'Let us see how the case stands with ourselves. With respect to the observance of the Christian Sabbath, I fear that *this country has at all times fallen short of its sister kingdom of Scotland; whose practice still continues to be an example and a reproach to her more powerful neighbour.*'—p. 8.

Now, as in the very preceding sentence, the Bishop emphatically reminds us of the truth, that "righteousness exalteth a nation," it is incumbent on him to explain how it has happened that the country inferior in godliness, or absolutely profane in respect of Sabbath-breaking, has preserved the superiority in power. Is it not probable that our Right Reverend Father has mistaken the offences of Sabbath-breaking, and that Heaven considers the breathings of the poor from labour, with more indulgence than the pampered high-churchman. In treating on the evil example of the rich, our Monitor is mild and considerate. On publicity he throws the main blame. The abomination of offence is not in the deed itself but in the light that exhibits it. —'*noctem peccatis*'—concealment makes decorum. It is ill to give Sunday dinner-parties, conversaziones and concerts, because they are made known through the wicked newspapers which delight in publishing the errors of the great, while they leave their pious actions unnoticed. The poor, then, reading of these practices conceive an opinion that they may dine, sing, and talk together on Sunday evenings, and by such acts bring into jeopardy the class which has the fairest prospect of Heaven. It seems to us clear that, according to the medical expression, the rich are *given up* by the Bishop. He views them as incapable camels, and fixes all his concern on the poor, who are in danger from the examples of the lost wealthy. Yet in one place our worthy Bishop reprehends the omission of grace before meat at good tables, but probably he has here example only in view.

'At many, if not at most, of these Sunday dinner-parties, I suspect that the decent and reverent custom of returning thanks to the Giver of all good gifts before and after meat, is altogether omitted; an ungodly habit, into which the higher classes of society seem to be generally passing. *The harp, and the viol, the tabret, and pipe, and wine, are in their feasts: but they regard not the work of the Lord, neither consider the operation of his hands.*'—p. 23.

One example of feasting on Sunday he sanctions. Our Right

Reverend Father extends an indulgence to the entertainment of parsons after service. There is so beautiful a *naïveté* in the passage, that we cannot refuse ourselves the pleasure of citing it.

'*I would not go so far as to assert, that hospitality is in no case to be exercised on a Sunday. There may be occasions, when it is in some degree connected with the public services of the day.* As the chief part of the evil which is complained of, consists in the scandal occasioned by unwonted encroachments upon the sanctity of the day, it may be thought that there is not the same *degree* of objection to *the ancient and customary hospitality of entertaining those who attend divine service in their official capacity,* which may be urged against Sunday dinner-parties in general. But the less there is, even of this, the better.'—pp. 24-5.

Have cooks souls? Or, according to the Bishop's law, is there any express reservation saving the cooks, who work at roasting and boiling, stewing and broiling, to comfort the clerical stomach on the Sabbath Day? In the preceding paragraph indeed the Bishop has observed.

'Nothing can be *so* necessary, as to uphold the honour of God, and the credit of religion, and to set forward the salvation of mankind. Whatever interferes with these objects, and diminishes our means of promoting them, can never be necessary. *Convenient* it may be, in a worldly point of view; but the Christian does not make convenience the measure of necessity: with him the necessity lies all the other way; it binds upon him much self-denial and much abstinence; but no indulgence, no compliance with sinful customs. He will say with St. Paul: *When ye sin so against the brethren, and wound their weak conscience, ye sin against Christ. Wherefore, if meat make my brother to offend, I will eat no flesh while the world standeth, lest I make my brother to offend.*'—p. 24.

Yet having penned this paragraph of virtuous, self-denial, the idea of the meat, so overcomes the sternness of the Bishop, that he relaxes into that indulgence for the parson's entertainment which we have before quoted. So strong is the savour of the flesh-pots! But how are things ordered at Fulham. What are the Heavenly prospects of the cook, the coachman, stable boys, &c. Is any manner of work done in the kitchen, or the stable, or the dresser, or the coach-box? Doubtless our Right Reverend Father affords the example of all he inculcates, and his household is released on the one seventh day from all duties but those to Heaven. We applaud the practice, and indeed to a certain extent we concur entirely in the recommendations of the Bishop. We deem it most desirable to preserve the Sunday as free from labour as the necessities of our social state will allow. It is a duty of humanity to the poor and industrious to prevent

toil or the avocations of business on the Sunday. With this object in view we should be glad to see the closing of the shops rigorously compelled, but they should all be closed. We would not put the law on the Green-grocers and grant indulgence to the Fruiterer; we would not tolerate the Fishmonger and Poulterer and interdict the Butcher. Were shops closed by authority on Sunday the present excuse for opening those which supply the poor would cease to exist. Masters would be compelled to pay the workmen earlier on the Saturday if it were certain that the poor people could not procure the necessaries of life on the Sunday. At present the opening of one shop on Sunday leads to the opening of others in the same trade and neighbourhood. The more scrupulous dealer will not suffer his neighbour to carry off the monopoly in forbidden employment, and he is for self-protection forced into the same system. Against any exercise of industry which may be avoided on Sunday there are urgent objections. Against any innocent recreation there are none. We join with the Bishop in aversion to the spectacles of intoxication, but delight in seeing the people pouring out to taste the freshness of a purer air, and the cheerfulness of scenes of harmless enjoyment. These things neither can nor should be prevented, and the attempt to check them would only lead to a greater amount of mischief. They who work six days will have their recreations on the seventh, and if they do not find them in exercises and amusements they will seek them in gaming or liquor. When the beadle sweeps the green he fills the Public-houses; and there is nothing more consistent with gaiety in the riot of intoxication than in the glee of cricket or quoits. During the period of divine service decorum requires an abstinence from the pursuits of pleasure as well as business, but between and after the period of those duties, it is politic not only to permit but to encourage all sports not objectionable in themselves; and the more rigid may comfort themselves by the reflection that if such recreations are not suffered, recourse will be had to worse indulgences.

In restraining labour on the Sabbath, some regard must be had to circumstances, and nothing can be more stupid than the disposition to prohibit baking, by which the industry of two or three people in a district discharges hundreds from employment. In the House of Commons this proposal lately found considerable favour.

Mr. Hobhouse presented a Petition, signed by seven or eight thousand of the Journeymen Bakers of London, Westminster, Southwark, and the towns and villages within ten miles of the Royal Exchange, praying that the law which now permitted dinners to be baked within

certain hours on a Sunday, might be altered; for that as it now stood, the Petitioners were unable to observe the Sabbath with that degree of strictness, which, as Christians, they desired. SIR T. BARING gave his support to the Petition, coming as it did from a body of the Christian subjects of this country, who were anxious to observe the Sabbath in a proper manner. It was a great evil, that men of the present time did not observe the Sabbath in the manner their duty required; and when any body of them desired to be able to do so, the legislature ought to do their utmost to gratify the wish. An admonitory letter of a Right Reverend Prelate had lately been printed on this subject, and in his opinion, that letter reflected the highest credit on the Right Reverend author, and notwithstanding the stigma that had been attempted to be cast on him on account of its publication, he was entitled to the gratitude of every upright man. The evil of Sabbath-breaking was one that ought to be put down, and it was worthy of consideration whether that object could not be better attained by preventing, than by punishing the offence. While he was on this subject he would observe, that a bill now in progress through the House for endowing certain chapels, ought to be altered in one of its clauses, which only required that the chapels should be opened twice, instead of thrice on the Sunday. Mr. Alderman THOMPSON also supported the Petition, and Mr. Alderman WOOD presented another to the same effect. Mr. SLANEY wished to ask the Honourable Members who were pressing these Petitions on the House, whether the measure they proposed, of absolutely preventing bakers from baking dinners on a Sunday, would not be more injurious to those who were, by the present custom, enabled to send their humble provisions to be baked on Sundays, than it could be beneficial to the bakers [hear, hear!]. Not only would these poor people be put to much inconvenience, but they would, by being obliged to stay at home to cook their own dinners, be prevented from going to church, as they were now accustomed to do. So that, even if the measure now proposed was meant in favour of religion, it was one of the most short-sighted measures that could have been imagined [hear!]. It reminded him of an attempt, made in a similar spirit, to prevent the barbers from shaving on a Sunday morning, by which, if successful, the advantage of hundreds would have been sacrificed for the ease of one [hear, hear!].

The impolicy of the proposal is obvious, but how odious is the hypocrisy which assumed the show of piety in its support. The Pharisees who are so scandalized at the idea of the employment of bakers on Sunday, see no evil whatever in the occupation of their own cooks. There is as yet no evidence that cooks have not souls requiring as much care and consideration as the souls of bakers, and before a bill is introduced, prohibiting baking on Sunday, we hope to see a measure proposed, forbidding the employment of cooks in roasting, basting, broiling, frying, stewing, &c. under heavy pains and penalties on the owner of the offending kitchen. Until those who dine well six

days forego hot meat on the seventh, from regard to culinary devotion, it were enormous to perplex the dinners of those who dine well only one day in the week.

ART. X.—1. *The Dominie's Legacy.* 3 vols. 12mo. London. 1830. 2. *Three Courses and a Dessert. The Decorations by George Cruikshank,* London. 1830.

THIS article is headed with the titles of two works of a kindred, if not of a similar character; each of them aiming at that light, easy and piquant delineation, which maintains the same relation to more elaborate story-telling, that free and spirited etching bears to the more finished productions of the graver. It amounts to no positive abatement of this similarity, that the one is the avowed production of a North Briton and the other almost as certainly of a native of that part of the United Kingdom called Ireland. As might be expected under these circumstances, the humour and archness of the former are more quiet, with less extravagance of caricature and of oddity; at the same time that his pathos rests less upon incident, than feeling. On the contrary, there is a tipsiness on the jollity of the Scribe of the "Three Courses," which seems indigenous to the Irish soil—less of finish and consistency, with more of frolick and fun. The one writer may be imagined composing before breakfast, and the other after dinner, with the accompaniment of a little pleasant hobbing and nobbing, with that special genius George Cruikshank, whose dangerous assistance, like an ancient auxiliary Roman force, so often reduces the succoured party to comparative insignificance. It suggests no very pleasant reminiscences of the prattle of childhood, for an author to hear that the innocent lieges eagerly demand, not if we have read the book, but if we have seen the pictures.

The machinery of "The Dominie's Legacy" is soon described; a benevolent and well-informed Scottish village schoolmaster becomes independent, by the means of a property left him by one of his pupils; and is thereby enabled to gratify a favourite propensity to ramble on foot throughout the country, a habit in which he had previously indulged as much as possible during the recesses of his school avocations. Tales, for the most part connected with the incident and character he is supposed to encounter in these peregrinations, he bequeathed to a friend for publication, and hence the title of the work. This scheme necessarily implies a dealing with domestic and simple events; there is now and then an attempt at something more

ambitious in the way of pathos. One of these stories called "Mary Ogilvie" is exceedingly interesting from the beautiful simplicity at once of character and incident. It simply narrates the history of an involuntary and spontaneous attachment which takes place between a young laird and the daughter of one of his father's tenants; which is fruitless in the first instance, from the natural pride of station, so that they each marry in their own rank; but are ultimately reunited while still young like a temporarily divided current. It is evident that the attractions of such simple materials must rest entirely on the manner of dealing with them, and in this respect the author has been eminently successful. Mary Ogilvie is a delightful portrait of an artless and ingenuous female, elevated by purity of feelings, serene but heartfelt passion and moral dignity into a superior creation. There is a felicitous pathos and simplicity in the denouement which is very attractive. The remaining serious tales are more artificial and complicated, but with the exception of Mary Ogilvie, the humorous sketches of this author are happier than his graver ones. One of these, in which a nondescript village oddity called "Wee Watty," is made incessantly to defeat the intention of a kind of young anatomical student to steal a dead body, may pair off with Little Hunchback and the prattling Barber of Bagdad in the Arabian Nights. "Leeny Davie" is another pleasant caricature of one of those curious originals, in the human form; in whom lying may be deemed a species of idiosyncracy—persons in whom the faculty or organ of invention as the phrenologists have it, is so predominant, that no perceptible portion of utterance without its exercise is ever witnessed. A lout of a boy thus extraordinarily gifted, is made to set an entire Scottish burgh in an uproar, in a very amusing manner. Lastly deserves mention the querulous "Miss Peggy Brodie," which is in substance a Scottish spinster's lament upon the failure of her endeavours to get a husband. This piece of humour is very neatly arranged; the unfortunate town lassie being made to babble out her own story in a manner so happily characteristic, as at once to exhibit her disappointments and the cause of them. In fact Miss Brodie is obviously an alarming talker, who never recollects a person's name; has a somewhat too exclusive predilection for volunteer sharp-shooters, and moreover is far from handsome. Of course Miss Brodie who speaks for herself, makes no allusion to the latter defect; but that may be taken for granted, because pretty simpletons invariably talk in one way, and ordinary ones in another. The archetype of Miss Brodie is in town-bred nature, and was often to be met with in the piping times of volunteering; times, of

which a monument exists in the form of a debt of eight hundred millions, as likely to be durable as the boasted fame of Horace. To conclude "the Dominie's Legacy" though not a first-rate production, nor approaching first-rate, is a very respectable and pleasant one.

The very handsomely got up volume, entitled "Three Courses and a Dessert," takes its name from associating the idea of three nominally distinct collections of tales, with that of the three courses of a dinner; with the relations of a few of the lighter whimsicalities for the dessert. These courses are respectively denominated, "West Country Chronicles," "The Neighbours of an Old Irish Boy," and, "My Cousin's Clients." The first of these collections might almost stagger us, as to the Hibernian origin of the author, if the second could leave room for doubt. However that may be, that our story-teller is evidently much at home in the West of England is well evinced by two of the stories, one of which is called "The Counterpart Cousins," and, the other, "The Braintrees;" both of which display considerable power. Another brace of tales, entitled "Caddy Cuddle," and, "The Bachelor's Darling," partake of a larger infusion of humour. There is much ingenuity of management in that of "Caddy Cuddle" especially in the production of an involuntary doubt, whether the hero of the tale really encountered an escaped lunatic in the dead of the night, or only dreamed that he did. There is much flight, whim, and extravagance, in all these tales; but a portion of the *vivida vis animi* pervades the whole, and however occasionally extreme the caricature, it generally rests upon a stray foundation of verisimilitude. But it were much to be wished that our brethren of Scotland and Ireland would spare us a little of the mysterious vaticination with which they are so fond of gifting bed-ridden old women, partial lunatics, and superstitious and crazed individuals of all denominations. Without too much scepticism, it may be doubted if Heaven quite so uniformly reveals its designs to this description of persons; after rigid inquiry, indeed, grounds have been found for denying it, just as, but for respect for the president of the College of Physicians, the frequent gift of prophecy enjoyed by persons at the period of dissolution might also be doubted. At all events, these oracular aged gentlemen should not be so frequently represented as endowed with a portion of inspiration, which is denied to the bench of bishops. The laureate should look to this matter, and settle the boundaries of these dangerous pretensions in the next edition of his Book of the Church; and in the mean time, if the picturesque and impressive, could be managed with a little less

of such matter, neither taste nor common sense would suffer from the moderation.

The "Neighbours of the Old Irish Boy," please us less than "The West Country Chronicles," partly, because a series of narratives, in one unvarying tissue of provincial phraseology and slang blunts vivacity of perception, and palls upon the understanding. There is a considerable portion of wild humour, however, in this division, especially in the individual character, as distinguished from the incidents. "My Cousin's Clients" relate to persons and adventures supposed to have been mixed up with the professional experience of a veteran lawyer. One of the hits called "The Mathematician" is very lively and ingenious; "The Dessert" consists of comparative trifles not without merit, but scarcely affording materials for quotation, since it would not be easy to bring to our pages the charming relief which the graver of George Cruikshank has supplied.

It would appear from the preface that the designs of the wood-cuts which embellish this merry trifle are the author's own, and have only received their heightening and finish from Mr. Cruikshank. Those which are the most airy, sketchy, and allusive are preferable to such as formally depict the incidents described. The archness and covert humour of many of the former are often very piquant, and display, most characteristically, Cruikshank's magic touch. One of the most simple of these in which, without the least liberty taken with actual resemblance, a couple of pumps are made to enact a brace of grave personages in close conversation, supplies a remarkable specimen of the lightsome facility with which this gifted artist can elicit humorous and extraordinary effect. This amusing volume is got up very handsomely, which appears to be an affair, of course, with its publishers (Messrs. Vizetelly and Branston), whose "Young Lady's Book," for beauty of illustration and embellishment, is a very remarkable production. What it is right to do at all, cannot be too well done, setting aside the more direct utility of chaste and accurate delineation. This encouragement of fine execution is at once favourable to art and to a due estimation of it. Even the decorated annuals effect a considerable portion of good in this way, and the extension of the benefit in aid of practical instruction for the acquirement of elegant accomplishment, even the utilitarian reviewers need feel no disposition to decry.

ART. XI.—1. *History of the Rebellion in England, and View of Affairs in Ireland.* By the Right Hon. Edward Earl of Clarendon, &c. Collated with the original MSS; with the suppressed Passages, and the Notes of Bishop Warburton. 8 vols. 8vo. Oxford. 1826.

2. *Life of Edward Earl of Clarendon, Lord High Chancellor of England; in which is included a continuation of his History of the Grand Rebellion.* Written by himself. 3 vols. 8vo. Oxford. 1827.

3. *Essays, Moral and Entertaining, on the various Faculties and Passions of the Mind.* By the Right Hon. Edward Earl of Clarendon. 2 vols. 12mo. London. 1815.

THE character of Clarendon, as of most public men who have been deified or defamed for party purposes, has, perhaps, been even less unfairly dealt with by the statements, than by the omissions of conflicting pleaders and witnesses; and a more complete collection of the facts on both sides offers means for a more equitable balance betwixt them. However, the adjustment of that balance first of all demands the removal of those numerous false weights which have been heaped into the scale in his favour; and which have principally owed their present bulk (though they have recently sustained diminution),* to the still-surviving interests which he served in his life-time, to the unequalled skill and industry exerted by himself in vindication of his public conduct, and lastly, to a fortunate concurrence of circumstances, which have placed him in the view of after-ages under singularly favourable lights. His virtues, through his whole history, stand out in striking contrast from amidst the opposite vices of his colleagues and associates. Throughout his life, especially in his own delineation of it, the strife of passion, prejudice and interest around him seems to be waged as if to set off with most advantage his own calm superiority. He is found at the outset of his public career, engaged in active opposition to the inroads of the court upon the legal rights and franchises of Englishmen. On his secession to the royal camp, his single voice is audible in bitter complaint against the selfish animosities of his comrades, and in animated pleadings for the monarch's prerogative. Follow him into exile, he is nobly employed in recording 'for all time' the great events of his own. In the restored court, he dares to reprove the vices of the king, while he disdains to buy the smiles of the mistress. Finally, he sinks beneath an infamous cabal, whose very enmity bore witness to the merits of its object, and whose subsequent

* See Mr. Agar Ellis's 'Historical Enquiries' and Hallam's Constitutional History, and especially Mr. Hallam's notes.

proceedings would have thrown into shade the worst mistakes or crimes of almost any precursor.

In seconding the attempts which have lately been made to replace within the bounds of sober justice a reputation thus auspiciously established, candour requires acknowledgment of the facilities which have been given to the task by the late beautiful editions of the "History" and "Life" of our subject, the titles of which appear at the head of the present observations. It had been matter of suspicion, as it now is of certainty, that the editors of the original Oxford edition had most unwarrantably tampered with the text of lord Clarendon, wherever it was scandalous to High Church and Toryism. The present edition restores the author's MS. to its rightful honours, and replaces, in the shape of appendix to several of its volumes, long passages excluded by the zeal of Sprat and Aldrich, the first editors, with the sanction (Mr. Hallam supposes) of lords Clarendon and Rochester, the sons of the historian. It also makes the notes of bishop Warburton public, which, though not without complexional asperities, occasionally reinforced by clerical corporation-spirit, yet, for shrewd remark and just reflection, certainly may be ranked with the polemical distinctions of that prelate, and in the mode of their introduction to the world reflect honour on the progressive liberality of Oxford.

Before coming to the earliest point of prominence in our subject—namely, Hyde's concern in and secession from the meetings of the Long Parliament—we must rapidly run over some occurrences in the years which preceded his abandonment of legal for political toils.

He had started into notice at the bar with a celerity which astonished his rivals, who knew little, for the most part, of the systematic ardour with which he courted all connexions that could aid his success, whether in his profession or in general society. He had laid it down as a rule, as he informs us in his "Life," always to be found in the best company, and to aim at intimacy with the persons most considerable for their fortune, rank, or personal endowments. Ben Jonson, Selden, May, sir Kenelm Digby, bore witness to the judgment of his youthful selection; and the attachment of his riper years to the church might have been augured at an early date from the friendships he had formed with Sheldon, Morley, Earles, and Hales. Chillingworth the sceptical and subtle, Edmund Waller, known as an orator before he dawned as a poet, and sir Lucius Carey, afterwards lord Falkland, adorned his memorable list of early intimacies.

Opportunities, well managed, introduced Hyde to the mar-

quis of Hamilton, "who had at that time the most credit of any man about the court;" and by an occurrence yet more fortunate he was enabled to acquire the then omnipotent patronage of archbishop Laud. These advantages speedily attracted the regards of judges, clients and counsellors in Westminster Hall, "so that he grew every day in practice, of which he had as much as he desired;" and his only care was so to distribute his time as to rescue of it some portion for the pleasures of society. The hour of dinner, then at twelve or one, was set apart for social conversation, while the morning and afternoon were swallowed up by professional duties; either in attendance on the courts, or in taking instructions and in giving opinions. His vacations were enjoyed in domesticity and study, broken in upon occasionally by epicurean orgies, in which he seems to have been no contemptible adept, in company with the earl of Dorset, lord Conway, and lord Lumley, "men who excelled in gratifying their appetites."

"In that very time," says Hyde, (we still quote his Life) "when fortune seemed to smile and to intend well towards him, and often afterwards, he was wont to say, that 'when he reflected upon himself, and his past actions, even from the time of his first coming to the Middle Temple, he had much more cause to be terrified upon the reflection, than the man had, who viewed Rochester Bridge in the morning that it was broken, and which he had gallopped over in the night; that he had passed over more precipices than the other had done, for many nights and days and some years together, from which nothing but the immediate hand of God could have preserved him.'" He alludes to the loose habits, and especially that of intemperance, contracted during his residence at Oxford, and improved at the Temple in society with the young officers who filled the town on the breaking out of war with Spain and France—when, however, as he informs us, his uncle's death awakened graver thoughts; and "in order to call home all straggling and wandering appetites he inclined to a proposition of marriage which, having no other passion in it than an appetite to a convenient estate, succeeded not, yet produced new acquaintance, and continued the same inclinations. In the first session of the Long Parliament, we find Hyde by no means in a posture such as his former haunts in high places might possibly have suggested, but active in exposing the court system—a line of conduct into which many were forced at this crisis by the popular current, who were afterwards, as before, devoted courtiers—and in denouncing the illegal acts, as president of the northern council, of that very apostate favourite, whom he was after-

wards to succeed in the confidence of his ill-fated master. We will not therefore mingle the fair augury afforded by his entrance on the scene with gratuitous misgivings of the part he is to play there; or single him out for censure from that enlightened and virtuous fellowship, in which he now sought political co-operation, as he had previously resorted to it for lettered companionship. Assuredly, so far as intellectual attainments went, he did no dishonor to his company; though in research of ancient authors, it is probable that he cannot claim equality with Falkland, and in mental strength and compass he must stand on an immeasurably lower level than Chillingworth. That noble band, which seems to have been formed out of the élite of whatever was most tolerant and enlightened in the church or the laity, perhaps only failed in the faculty of realizing their speculative conquests in action. Their inquiries had been followed without hindrance even beneath the jealous tyranny of Laud; and their habits of abstraction had but little in common with the fiery zeal of more forward innovators. What Erasmus was to the fierce polemics of Switzerland or Saxony—what Walsingham and Grindal were to the early English Puritans—were Falkland, Hales and Chillingworth, to the popular religious and political partisans of 1640. The bigotted grasp by narrower and less cultivated spirits of merely outward types as well as of public principle, their own habitual attachment to those institutions, which had, however, proved themselves inadequate to defence against the inroads of the royal prerogative, alienated the friends of Hyde at a very early period from the measures of the popular party, and rallied them round the legal rights and dignities of the crown. The free though loyal principles advanced by this party were those which alone enabled Charles to oppose legitimate pretexts, as well as powerful means, of hostility to the large and popular classes which he had outraged. They were such indeed as must have influence in a country where allusion is so frequently made to its chartered and prescriptive liberties, as presenting a fair abstract of old English national feeling, and maintaining the inviolate supremacy of the monarch, while they vindicated legal and traditionary franchises. Whatever may be excepted against in the political scruples by which the holders of such principles were severed from the popular cause, it is impossible to confound their probable motives for a moment with such as induced the profligate apostacy of Strafford. Nor can Hyde be fairly accused, to the extent he has often been, of political tergiversation in his parliamentary conduct, for first asserting legal rights as a lawyer, and afterwards withstanding ecclesiastical changes, as a

known friend of the church, and grateful protégé of the primate. Yet it is curious and amusing to remark the professional weapons to which he has recourse against the popular leaders. Being chairman of a committee of the whole house during the progress of a bill against episcopacy, "he gave," as he says, "some stop to their haste; for besides that, at the end of his report, every day to the house, before the question was put, he always enlarged himself against every one of the votes, and so spent them much time, he did frequently report two or three votes directly contrary to each other; so that after near twenty days spent in that manner, they found themselves very little advanced towards a conclusion, and that they must review all they had done. At length, other occurrences intervening, they were forced to discontinue their beloved bill, and to let it rest. Sir Arthur Haslerig declaring in the house, that he would never hereafter put an enemy into the chair."

But with this period, what is best and brightest in Hyde's character passes away. The vicissitudes of public life could work wondrous changes in the characters of those they affect, and sometimes would make us doubt the identity of the same individual. Hyde in his assent or opposition to the acts of the Long Parliament's first session seems as one person — another in the royal camp when stung to desperate counsels by the proscription constantly launched at his head on the part of the two houses—and finally another still, when overflown with bitterness and rancour by the hardships of exile.

On the approach of direct hostilities a decided course of action was imposed upon the leading men on both sides. Hyde was now established in the functions of an intimate adviser of the crown; to which he had recommended himself by a master-piece of argument and popular rhetoric in answer to that celebrated Remonstrance with which the parliament saluted the king on the opening of its second session; and from this time he was constantly employed to make reply to all its important declarations and messages. To have originally merited the confidence of Charles may not absolutely fix a charge of anti-popular tendencies; to have kept it must afford a strong presumption of, to say the least, obliquity or unsoundness of political views. It was the fate of the whole dynasty of that monarch to cater for itself such counsels as might best conduce to its utter disgrace and downfal. Thus Charles had ever recourse to Hyde for encouragement in his obstinate fanaticism on every point of ecclesiastical polity; while he was fain to seek prince Rupert or prince Maurice to be flattered with the images

them, as it has justly been remarked by Mr. Hallam that the former work partakes the nature of memoir with the latter, and as both of them, at one time, were intended by the author to be simply the 'Memorials of his Own Life.'

The fame of the performance, as a whole, like that of its author, has maintained and will continue to maintain itself, by qualities which acute and habitual converse with what is called the world can alone bestow; and which alone are equally sure of acceptance though not of just estimation, from the merely superficial as from the most profound readers. By the former it is even now consulted as an oracle, because, while it provides them intellectual aliment of a sort not altogether too refined for their taste, it awes them with a studied air of statesmanlike authority, and practical wisdom, more imposing to such minds than the most perfect demonstrations of political science. And the latter class of readers, while they take at their just value the didactic and dogmatical parts of the work, rightly estimate far higher the dramatic glow of narration and the vivid views of character in which it abounds, and are generously disposed to give the noble author credit for having himself experienced all the depth of thought and feeling which his animated pictures are so apt to excite.

The style of the work, though censured as 'involved, incorrect and artificial,' is perhaps not inharmonious with its character and purpose, or even very injurious to its general popularity. Its occasional obscurity appears to result from other springs than those from which that blemish usually originates. It neither results from thoughts too large to find an adequate vehicle, nor from language too inflated for the size of the thoughts. The written words of Clarendon, like the spoken words of Cromwell, are, for the most part, only obscure when they are fully meant to be so. And perhaps the loose construction of his sentences in some places rather relieves the stateliness of his solemn periods in others, and compensates for the violence done to strict historic decorum by the fund of shrewd remark and subtle pleasantry which opens unawares on us in the midst of graver matter. There is a powerful charm moreover in the vivid personal interest which animates those parts of his narrative in which he labours—not in vain—to secure the sympathy of his readers with the feelings which arose from his position, and individual participation, in the scenes he describes. It is this which gives his work the popularity of a Memoir, and spreads attraction over his portraits of contemporary characters, which besides display no ordinary sagacity in

seizing, and no ordinary fineness of touch in delineating at least the outward aspects and relations of those whom he designs, for good or evil, to commemorate. In describing his opponents there is an air of frank admission, and of full appreciation of their merits, which has gained the author frequent praise for his candour, though it excludes not those insinuating methods of detraction, which undermine, without appearing to assail their object. And if the portraits of his friends exhibit flagrant lines of flattery, there are features too expressive in them not to have been drawn from life, and we have no desire to quarrel with his glowing panegyrics of so much patriotic worth and private amiability. Yet, even in his happiest views of character, there is something like a want of comprehension, and a corresponding want of sensibility, with regard to any high and pure ideal of moral excellence—something more resembling the art to detect a bad shilling than to prize a classic medal for its antique impress.

Clarendon's own idea of the "genius and spirit and soul of an historian" may be gathered from one of his Essays, where he speaks of those endowments as "contracted by the knowledge and course and method of business, and by conversation and familiarity in the inside of courts, and the most active and eminent persons in the government." Assuredly, whatever could be gained from such sources to the value of a history was combined in his; and it is difficult to resist the first impression of so dazzling and imposing an aggregate. But a closer view discovers by how very wide an interval is separated the ablest man of the world from the truly philosophical historian—how imperfectly the lore of court intrigues and state expedients can expound the great events of a political crisis, and how miserable a substitute for genuine candour and tolerance are the guarded phrase and tone of high society. It were vain to look to Clarendon for any thing like a rational account of the first springs of civil commotion; and his pages do not even exhibit the true interdependences and sequences of events at all more clearly than their origin. Every thing is referred to party cabals and personal influences with a truly court-like nearness and minuteness of vision; and the outward shew of exemption from the passionate heats of controversy is belied by an intolerant zeal for mere names and forms, which, had it been expressed in uncouth language by uneducated men, would have been stigmatized as desperate and hopeless fanaticism.

The historical merits of Clarendon have been modestly compared by his panegyrists to those of the great author of the

'History of Henry VII,' as his Essays have in similar style been characterised by their editor as "an appropriate companion to the little volume which contains the Essays of Lord Bacon"—an instance of juxtaposition only allowable in reference to the size of the volumes—unless the circumstance of both authors having been chancellors of England be considered to complete the resemblance. However, the former parallel is at least less extravagant, from the marked inferiority of Bacon's historical writings to the works of his earlier manhood and maturity, and receives a plausible colour from some outward points of resemblance with Clarendon's productions in the same department. Both employ a style of decoration and diffuseness—both betray a habit of minute observation of particulars apparently trifling, and both are in a certain degree obnoxious to the charge of courtly adulation and obsequiousness. But a more minute analysis of the accidental likeness, will discover the essential contrast. Bacon is diffuse from the exhaustless overflowings of a teeming mind, and ever active fancy—Clarendon from wilful amplifications and redundancies. The fund of observation in the latter is drawn chiefly from the circle of court intrigue and personality—in the former from that of internal national changes and popular interests, of which courts have for the most part little cognisance. The instances of compromise and courtly adulation in both writers might more fairly admit of comparison, if Bacon had, like Clarendon, been roused to public life by the spirit-stirring alarums of a social revolution—those, however, who read him worthily may judge for themselves whether, like Clarendon, he would have learned from the events of that struggle little else than a besotted predilection for the code of persecution and tyranny.

If we now dismiss entirely from our notice the degree of intellectual power exhibited by Clarendon in his treatment of a grand historical period, and confine ourselves to examining his honesty and fidelity in the matter-of-fact department of his labours, there will perhaps be less inclination to dwell severely on innumerable instances of faithlessness, than to wonder at the easy and implicit reception accorded to a history undertaken by its author "with his majesty's approbation, and by his authority, and for his vindication!" If to the indications of so ominous an exordium we add our previous knowledge of the personal position and inevitable biases of the author, we shall come to the perusal of his work, prepared at least against any great disappointment or delusion. We shall trace without surprise his inconsistencies and fallacies; we shall find him now betraying a decent sense of public grievances; now deprecat-

ing every plan of practical reformation, and combining the most evident distaste for the party in the service of which he found himself engaged with the most rancorous zeal in libelling the motives of every member of that which he had quitted. A careful reader of Clarendon (and no such reader can fail to detect his endless self-exposures and discrepancies) will hardly deem it needful to convict him out of any other mouth than his own: but as his statements have gained credit with so many, not only in spite of their own internal evidence of falsehood, but of their constant inconsistency with the narrative of Whitlocke, of which the accuracy has never incurred suspicion, it will be well to signalize a few of the more flagrant cases which meet us on a rapid glance throughout the life and history; premising that we cannot pretend, within our present limits, to give any idea whatever of the frequency of such cases, or even to communicate an adequate impression of their general intention and malignity.

On the threshold of the history, in the narrative of Charles's first dispute with his parliament, occurs a piece of gross prevarication in our author, which augurs very ill for the simplicity and sincerity of his statements when the plot shall thicken. He reflects upon the fickleness of the Commons for changing their too favourable opinion of Buckingham, whom the last parliament of king James had highly applauded for his services, in bringing back the Prince of Wales in safety from Spain. "But they," he says, "who flattered him most before, mentioned him now with the greatest bitterness and acrimony; and the same men who had called him our Saviour for bringing the prince safe out of Spain, called him now the corruptor of the king, and betrayer of the liberties of the people, without imputing the least crime to him, to have been committed since the time of that exalted adulation." There is falsehood in this statement both direct and implied; the former consists in suppressing the crime which popular belief ascribed to Buckingham in the scandalous betrayal of the Protestant cause at Rochelle; the latter consists in sinking altogether the slight circumstance that the plaudits given to that favourite's own story of his conduct in Spain were only changed for censures when the falsehood of that story had been proved on the arrival of lord Bristol. At such expense of truth was the historian content to purchase an early opportunity of exclaiming—'So fluctuating and unsteady a testimony is the applause of popular councils'! Even more unjust if possible is the noble author's account of Barebone's parliament, which has been copied into almost every popular English history. "These men," he says, (having characterized them previously as 'a pack of weak

senseless fellows') "continued in this capacity near six months, to the amazement, and even mirth of the people. In which time they never entered into any grave and serious debate." The truth of this description may be judged of by the list of the Committees of this much-defamed parliament.

1. To consider matters touching Law.
2. Touching Prisoners and Prisons.
3. For inspecting into Treasuries, and easing public Charges.
4. For Ireland.
5. For Scotland.
6. For the Army.
7. For Petitions.
8. To consider what shall be offered about public Debts, public Frauds, and breaches of Trust.
9. For regulating Commissioners of the Peace.
10. For advance of trade.
11. For advancement of Learning.

"They generally expressed," says lord Clarendon, "great sharpness and animosity against the clergy and against all learning." And again, "they looked upon the function of ministers to be anti-christian, and proposed to sell the college lands." The exact reverse of all these allegations appears from the whole tenour of their measures, and especially from the tone of their reply to the lord mayor, aldermen, and common council of London, who presented a petition to them "That the Gospel may be preserved in purity, and the dispensers of it be learned, godly, &c. That their maintenance by law and their just properties be preserved. That the universities be countenanced and encouraged." The petitioners were thanked for their good affections. And it was one of the resolutions of this parliament, whom Clarendon represents as holding "the requiring and payment of tythes to be absolute Judaism," "That incumbents, impropriators, &c. have a right and propriety in tythes."

The sweeping mode of vilifying bodies of men *en masse*, of which the foregoing extracts are a specimen, may well deter us from attempting to exhibit in detail the perpetual mis-statements of the noble historian, with regard to the individual acts and characters of his enemies. One or two gross instances, however, start up, and seem to call for special exposure. The first of these is Clarendon's account of the death of Chillingworth, which afforded him too good an opportunity to be parted with for the mere sake of truth, of blackening to his heart's content the Presbyterian clergy. "Here," he says, (at Arundel Castle) "the learned and eminent Mr. Chillingworth was taken prisoner;

who, out of kindness and respect to the lord Hopton, had accompanied him in that march; and being indisposed by the terrible coldness of the season, chose to repose himself in that garrison, till the weather should mend. As soon as his person was known, which would have drawn reverence from any noble enemy, the clergy that attended that army prosecuted him with all the inhumanity imaginable; so that by their barbarous usage, he died within a few days." Now, we learn from Wood the Oxonian, that Chillingworth came to Arundel in the capacity of engineer, to aid in its defence, and not merely in the character of an invalid, which Clarendon has given him as more congruous with his reverend profession. And Des Maizeaux, in his life of Chillingworth, states from several documents which were published at the time, that "The governor of Chichester gave order that lieutenant Gollidge should take care of him, and placed him in the bishop of Chichester's palace, where he had very courteous usage, and all accommodations which were requisite for a sick man; as appears by the testimony of his own man at Oxford, and a letter of acknowledgment from Mr. Chillingworth's father to Mr. Gollidge; nay by the codicil to Mr. Chillingworth's will, in which he gave 10*l.* to captain King 10*l.* to Mrs. Mason who kept the bishop's house, 10*l.* to lieutenant Gollidge, &c." Add to this that Anthony Wood himself, a mortal foe of the puritans, acknowledges that "Mr. Chillingworth was civilly used, and that none but the royal party looked on the discourses (which were held with him by the clergy) as a shortening of his days."*

The following piece of cool misrepresentation must be noticed, as so many subsequent writers have repeated it.

"Hollis had one day, upon a very hot debate in the House, and some rude expressions which fell from Ireton, persuaded him to walk out of the House with him, and then told him 'that he should presently go over the water and fight with him.' Ireton replying 'his conscience would not suffer him to fight a duel': Hollis, in choler, pulled him by the nose, telling him if his conscience would keep him from giving men satisfaction, it should keep him from provoking them."

Hear Ludlow's different version of the same occurrence: "One day commissary-general Ireton, speaking something which Mr. Hollis thought injurious to his friends, the latter passing by him in the house, whispered him in the ear, telling him 'it was false, and he would justify it to be so if he would follow him'—and thereupon immediately went out of the house

* See too Dr. Johnson's 'Life of Cheynel.'

with the other following him. Some members who had observed their obstinate carriage to each other, and seen them hastily leaving the house, acquainted the parliament with their apprehensions, whereupon they sent their sergeant at arms to command their attendance; and he letting them understand this as they were taking boat to go to the other side of the water, they returned."

If the reader feels the slightest hesitation in preferring this simple and consistent account of the affair in question to Clarendon's improbable and ludicrous story, we would first suggest, that Ludlow, being a member of the house, had less need to have recourse to invention for the particulars of what passed before his eyes than Clarendon, who constantly wrote on hearsay, without scruple, the most minute transactions of the parliament and army. Secondly, an historian was not likely to feel qualms about inventing a gross insult and a tweak by the nose, who has himself recorded instances, in his Life, of the dexterity with which he occasionally forged harangues and letters for the members of the popular party. And thirdly, this is only one of a hundred similar stories coined by Clarendon in disparagement of the leading members of parliament. Take for example (the last of his mis-statements we have space to expose) his account of the debate upon the Self-denying ordinance, in which Vane and Cromwell are made to speak in a strain of canting hypocrisy of a solemn fast, and "seeking of God," as having been held the day before, which is proved by the Journals not even to have been voted or appointed to be held till after the close of the debate!

We pass over the long narrative given by Clarendon in his Life, of his distresses and embarrassments in exile, as unimportant in its details to our subject, and only so far worth attention in its general results as indicating the source of some of those wider woes and mischiefs which were let loose on the land at the Restoration. Hyde imputes most evils in the reign of Charles II, to the juvenile "entanglements" of the monarch. Alas, the monarch was encircled, not with his own entanglements only, but with those of a court just escaped from that discipline of misfortune, which plunges whom it instructs not, into deeper corruption. The license, of which the higher classes now gave example, and which flowed from their example through the nation, may be more surely traced to reaction from the forced restraints of exile than to that popular revolt from puritan strictness and austerity, from which historians have more commonly derived it. Nor can it be doubted that the pleasurable "entanglements" of Charles formed a highly useful coun-

terpoise to his lust of absolute power, and that there was less of real danger to the nation in the counsels of his loosest associates than in the cool-blooded suggestions of those more sedate spirits, whom exile had corrupted not less deeply than their fellows, though in a manner more conformable to their colder constitutions. For, whereas in careless tempers opportunity had loosed the spring of wildest eccentricity and dissoluteness; in these closer dispositions the remembrance of past wrongs had bred implacable vindictiveness and bigotry, which found its natural vent in acts of stern and narrow policy. Henceforward, till his fall, the public conduct of Clarendon is involved, and in a manner identified, with the general administration of the monarchy, as his counsels were implicitly adopted by the sovereign; and the march of that administration must be rapidly glanced at, in order to the proper estimation of his character. The early acts of Charles's reign divide themselves naturally under the heads of, 1stly, Measures consequent on his own declarations of amnesty; 2ndly, Measures consequent on the unsettled state of the laws and constitution of the realm; 3rdly, Measures consequent on the claims of the church-establishment, and of the several non-conforming sects.

The Declaration of Breda offered, as is well known, a free and general pardon to all subjects of his majesty, saving only such as should be excepted by the parliament. In a proclamation issued a few days after his landing in England, he farther commanded his father's judges to render themselves up within fourteen days, on pain of being exempted from any pardon or indemnity, either as to their lives or estates. If, as Clarendon informs us, the king had always expected that none of the regicides should be spared, with what consistency could he issue forth a mandate, on the plain construction of which some came in voluntarily to surrender themselves? Or with what degree of honour could the chancellor himself (for "the king referred all matters of what kind soever to him"*) first concur in his sovereign's tacit promise, and then censure the disposition which the parliament shewed to keep it, as an instance of "unhappy lenity." Or what shall be said of his faith as an historian who, in order to shake off his own and his master's share in the transaction, represents the proclamation of the king as having been published, not by him, but by the parliament? By this unworthy cunning, Hacker and Axtell were lured to destruction. In the case of Vane, in which the share of Clarendon has on a former occasion been exposed by us, a

* Continuation of Life, p. 24.

sign of guilty consciousness, and not the least expressive, is the dead silence, amidst the most minute details of other affairs, in which he passes over this "apparent shame."

The praise which has been lavished by so many pens on Clarendon for protecting, at the crisis of the Restoration, the laws and constitution of his country, would appear less surprising than it does, had he himself distinctly laid claim to it; for there is no example in history more remarkable than his of the influence which may be exerted by self-assertion and self-praise upon the judgments of mankind and posterity. But only one half of this unequalled title of honour seems even to have been coveted or aimed at by the chancellor; namely, "the restoration of the old course of justice." "Denied," he says, "it cannot be, that there appeared sooner than was thought possible a general settlement of the civil justice of the kingdom; that no man complained without remedy; and that every man dwelt again under the shadow of his own vine, without any complaint of injustice or oppression." In order to bring this highly-coloured picture down to the modest hues of truth, it must be remembered, that the course of justice never had been disturbed in ordinary cases under the Commonwealth, or even under Cromwell, and that the occasional party iniquities of those periods were rather closely paralleled in the halcyon reign of Clarendon, by the rapacity with which, as he himself allows, fines were levied on the lessees of church-property, and by the cruelty and violence with which the presbyterian clergy were ejected from their livings. It must, moreover, be remembered that every one of those reforms which English lawyers are accustomed to date from the reign of Charles II, had in effect been established by the Long Parliament, and that therefore the whole merit which is due to that reign consists in merely not abolishing what it found already instituted. Nor will disinterested patriotism appear the strongest feature in this passive toleration of existing improvements. The abolition of feudal tenures was not finally passed by Charles without receiving the equivalent of hereditary excise. And as for such amendments in the law as the Long Parliament began, but had not time to accomplish—such as reforms in the court of Chancery and conveyances, and the establishment of records for titles of land, and deeds affecting it—all such projects were extinguished under the chancellorship of Clarendon—trodden down beneath the triumph of "the old course of justice."

The zeal for constitutional securities, so liberally attributed to Clarendon, may be appreciated by his avowed design of restoring the frame of government which existed before the meeting of

the Long Parliament. "He did never dissemble," he says, "from the time of his return with the king, that the late rebellion could never be extirpated and pulled up by the roots, till the king's regal and inherent power and prerogative should be fully avowed and vindicated, and till the usurpations in both houses of parliament, since the year 1640, were disclaimed and made odious; and many other excesses which had been effected by both before that time under the name of privileges, should be restrained or explained. For all which reformation the kingdom in general was very well disposed, when it pleased God to restore the king to it. The present parliament had done much, and would willingly have prosecuted the same method, if they had had the same advice and encouragement." In order to understand the somewhat oracular strain of these sentences, we must refer to Clarendon's History of the Rebellion, where he narrates the abolition of the court of Star Chamber, and hints the policy at some future period, of reviving it.* If the commons did not "prosecute" this "method of reformation," it was not at least for want of "advice and encouragement" from the upper house. A committee was appointed in the Lords to prepare a bill for repealing all acts of the parliament begun the third day of November, 1640, and for re-enacting such of them as should be thought fit. This committee, sometime afterwards, reported their opinion, "that it was fit for the good of the nation, that there be a court of like nature to the late court called the Star Chamber, but desired the advice and directions of the house in these particulars following: Who should be judges? What matters should they be judges of? By what manner of proceedings should they act?"† This timid style of overture was quite thrown aside in the king's speech at the opening of the session of 1664, where, recommending the repeal of the Triennial Act, he tells them "that he had often read over that bill, and though there was no colour for the fancy of the determination of the parliament, yet he could not deny that he had always expected them to consider the clauses in that bill, which had passed in a period very uncareful for the dignity of the crown, and the security of the people. He requested them to look again at it. For himself, he loved parliaments; he was much beholden to them; he did not think the crown could ever be happy without frequent parliaments (the repeal of this very act however enabled this very monarch to make himself "happy" by dispensing with parliaments, during the four last years of his reign). "But assure yourselves," he concluded,

* Vol. I. p. 1[illegible] [illegible]nals.

"if I should think otherwise, I would never suffer a parliament to come together by the means prescribed by that bill." If the language of this daring manifesto of hostility to the established constitution of the country seem too violent to have flowed, like Charles's other declarations, from the pen of a lord Chancellor who pretended any reverence for the functions or the name of a parliament, it may suffice to say, that Clarendon's own expressions on the subject harmonise perfectly with those of his master; and a still more striking instance of his real state of feeling with regard to parliamentary privileges is contained in a conference which he reports himself to have held, on the eve of his disgrace, with the king, and which he concluded by "beseeching his majesty, whatever resolution he took in his (Clarendon's) particular, not to suffer his spirits to fall, or himself to be dejected with apprehensions of the formidable power of the parliament, which was more, or less, or nothing, as he pleased to make it."*

But the language and conduct of Clarendon towards the several sects in religion, by which the country was divided at the epoch of the Restoration, have been looked upon with justice as the deepest blot on his memory, even by those who would apologise for the rest of his conduct. It is not here designed to question the policy of the church-party in rejecting Usher's scheme of comprehension, in retaining almost all the forms and ceremonies which had offended tender consciences since the days of queen Elizabeth, and even adding to the number of saints days and apocryphal lessons. We have not now to deal with theological disputes, but with the breach of every principle of morality and justice. The Declaration of Breda granted liberty of conscience, "so that no man should be disquieted or called in question, for differences of opinion in matters of religion which do not disturb the peace of the kingdom," and promised the royal assent to such act of parliament as should be offered him for confirming that indulgence. In a subsequent declaration Charles renewed, and even added to, the promises and pledges of the former. The hollowness of Clarendon's pretence that these reiterated engagements had been merely conditional on the sanction of parliament is manifest from the fact that a bill brought in by sir Matthew Hale, to render the king's second declaration effectual, was opposed by Clarendon himself at the head of the church and court party; and that all the subsequent measures against Protestant Dissenters owed their origin and enactment to the same ministerial

* Continuation of *Life*, p. 137.

influence. The auguries afforded by this conduct in the government, of a speedy termination to that liberty of conscience which had been recognized by the Commonwealth and afterwards by Cromwell, were soon accomplished even beyond the fears of the sectaries. A new Act of Uniformity was passed, in which the rigour of the old one was improved by the addition of such clauses as "that every beneficed minister, every fellow of a college, every schoolmaster, should declare his unfeigned assent, and consent, to every thing contained in the book of common-prayer; and that every minister should, before the feast of St. Bartholomew, publicly declare his assent and consent, &c. on pain of being *ipso facto* deprived of his benefice." This act is well known to have induced the resignation of two thousand conscientious ministers. But it did not go the whole length intended against liberty of conscience; a new act was therefore framed for suppressing seditious conventicles, which inflicted on all persons above the age of sixteen present at any religious meeting in other manner than is allowed by the practice of the church of England, where five or more persons besides the household should be present, a penalty of three months imprisonment for the first offence, of six for the second, and of seven years transportation for the third, on conviction before a single justice of peace; "an act," says Clarendon, "which, if it had been rigorously executed, would doubtless have produced a thorough reformation." The code of persecution was completed by a third act passed in the session of 1665 and commonly known by the title of the Five-mile-act, which provided that all persons in holy orders who had not subscribed the Act of Uniformity, should swear that it is not lawful on any pretence whatsoever to take arms against the king; and that they did abhor that traitorous position of taking arms by his authority against his person, or against those that are commissioned by him, and would not at any time endeavour any alteration of government in church or state. Those who refused this oath were not only made incapable of teaching in schools, but prohibited from coming within five miles of any city, corporate town, or borough sending members to parliament. The deplorable effect of these measures was soon evident. Before the Restoration, that religious intolerance, which had shewn itself in the first moment of triumph over episcopacy, was much abated by the check which the free spirit of Independency imposed upon the arrogant presbyterians. The most powerful appeals which had ever been published in behalf of religious liberty were backed by the boldest motions in its favour, which had ever been ventured in parliament. An "ungodly toleration"

was established in Scotland, notwithstanding the resistance of her fanatic clergy; and in England greater latitude of religious inquiry was admitted than at any former period of history. To some the motley spectacle of liberated sects may suggest ideas of nothing but confusion and uproar. But in that chaos were the germs of lucid order; in that discord was the soul of heavenly music. Far more ominous than the wildest of sectarian ebullitions was the dead, enforced, unnatural uniformity, from which in Scotland sprung revolt and wholesale military massacre; and which in England changed the manly voice of open discussion for muttered threats, veiled ironies, and midnight conspiracies; till at length opinion putrefied for lack of ventilation; and courtier, patriot, churchman and dissenter rushed pell-mell into the palpable delusions of the Popish plot.

Such then was the glorious and immortal Clarendon's ministry! But the virtues of a favourite, in the court of Charles the Second, took natural precedence of his vices in preparing his disgrace and downfal. Thus the proximate, though perhaps not the most active, cause of Clarendon's decline was the disfavour of his master, who disliked him for impeding the full swing of his debauchery, and for interposing legal objections to his more serious appetite of absolute power. Independently of these distinct motives of aversion, a Stuart was not likely to be swayed by simple gratitude, to support an old servant in the wane of popularity. Clarendon had besides by this time made himself obnoxious to the parliament by an unpardonable indulgence of his arrogant and domineering temper, and to the people by his conduct in the sale of Dunkirk, and by the sumptuous scale of his new house in town, which vulgar clamour affirmed to have been defrayed with French money. The tempest burst so soon as he was known to be abandoned by the favour of his sovereign. An impeachment passed the Commons, containing seventeen articles, of which some were wholly false, some partly true, but almost all enormously exaggerated, and his flight to the continent, for which he pleads a secret command of the king, was punished by a formal act of banishment. So fell this celebrated minister, having discharged, during the most momentous epochs of our history, the offices of Secretary of State, Chancellor of the Exchequer, and Lord High Chancellor, and having successively received the titles of baron Hindon in Wilts, viscount Cornbury in Oxfordshire, and finally earl of Clarendon.

It is not easy to ascend from particulars to any general estimate of the character before us, as no philosophical or moral oasis appears in the life of Clarendon uninvaded by the blind-

ing dust and hot breath of faction. Neither his futile efforts to philosophise upon events which he only viewed through a microscopic and discoloured medium, nor his affected equanimity in adverse affairs, which is belied by traits of bitter spite and vain anticipation, give any evidence of reflective and well-centred existence. Yet we cannot withhold our pity from the poor diseased old man, cast off by royal gratitude and by foreign hospitality; while we admire that force of self delusion which led him, as he says, "not to reflect upon any one thing he had done of which he was so much ashamed as he was of the vast expense he had made in the building of his house," and that impotence of mind which laid him prostrate (to employ his own words), "so broken under the daily insupportable instances of his majesty's terrible displeasure, that he knew not what to do, hardly what to wish." Alas for human nature! that such helpless debasement should be compatible with a rule of life which many still panegyrise as a pattern of the highest morality! Alas for mankind! that if such instances affect them with a feeling of indignant amazement, that emotion rarely penetrates to the origin of the evil in the absence of some grand and guiding principle of action. There was a moment in our history when the civic wreaths of yore seemed interwoven with the mild domestic life of later ages. But it is past; and even youth deserts the school-themes of antiquity, and the monuments of old English patriotism, for the perplexed and tortuous paths of modern practical politics. Many a mind that would have spurned the slavish lessons of prerogative is poisoned with the lore of balances, influences, and compromises—many an eye that would have kindled in the Star-chamber sinks beneath the satire of some frivolous circle—many a heart that would have sympathised and bled with Hampden's learns to idolise human power, in the example of Cromwell; to disbelieve in human virtue, on the authority of Clarendon.

Art. XII.—*Letters from Nova Scotia, comprising Sketches of a Young Country.* By Captain W. Moorsom, 52nd Light Infantry. London. Colburn and Bentley. 1830. post. 8vo.

NOVA SCOTIA, had it been valued according to the price it cost, would have been more highly prized than it has been, and better information would have been obtained respecting it. In our present ignorance of the real condition of the ancient Acadie of the French, and in the daily increasing import-

ance of all countries favourable to the purposes of emigration, this little volume by captain Moorsom, is no worthless gift, and on this ground may be forgiven the clumsy and tiresome form of letters to friends, in which it is couched, and that which costs still more in charity, a style of the utmost affectation.

The facts which are collected and condensed from this description of Nova Scotia, we dedicate to the instruction of persons who propose to emigrate and are casting about for intelligence respecting the various open places of the earth.

The principal emporia of commerce in Nova Scotia, are Halifax the capital, on the south-eastern shore bordering the Atlantic, Picton on the Gulf shore, and St. John's in New Brunswick, which is the chief dépôt for the produce of the Bay of Fundy. The present staple productions of the country are timber and fish, of which the forests and shores supply an illimitable quantity. These are exchanged for the manufactured goods and wine of Europe, and for the colonial produce of the West Indies. Latterly, coal and other mineral productions, in which Nova Scotia abounds, have been carried to the United States in return for fine flour and bread. Barley and oats, which grow in great perfection in this country, are also exported to the West Indies. Wheat by either some ignorance in its culture or through the severity of the spring and the shortness of the summer, has not been produced of a sufficiently white colour to satisfy the European wants of the settlers : it is consequently chiefly imported. The fisheries have been the principal source of prosperity to Nova Scotia ; it is probable, however, that the mineral productions which have lately been investigated will surpass the advantages hitherto derived from this branch of industry. The cabins of the fishermen line the whole south-eastern coast of Nova Scotia ; and if they do not equal in activity and enterprise their rivals from the Northern States it may be attributed to the thinness of the population which converts them both into farmers and fishermen. Each cabin has a small farm attached to it, which, as well as the sea, demands a share of the labours of the proprietor. As, however, the population of the country and the accumulation of capital increases, the fisheries are rising into more efficient operation. Of the value of this source of national wealth, an idea may be formed from the fact, that in 1743 the island of Cape Breton alone, then in possession of the French, produced nearly a million sterling.

British goods are retailed in Nova Scotia at an advance of from fifty to a hundred per cent upon the London price. This is the only tax a Nova Scotian pays whether external or internal. It does not extend to either colonial produce or tea ; for latterly,

the East India Company have consigned one or two ships in the year to Halifax, and the best teas may be had at three shillings a pound.

Nova Scotia Proper is estimated to contain, exclusively of the lakes and waters of the interior, nearly eight million acres of land, of which about three fourths may be available for the purposes of cultivation: that is to say, six millions of acres. The land in cultivation to that unreclaimed bears the proportion of one to twenty-six. And yet such has been the culpable want of foresight and indiscriminate lavishness with which grants of land have been made, that when the Emigration Committee sent out a commissioner to Nova Scotia, he could not find a single entire lot of forty thousand acres ungranted. The fact is, that many proprietors possess immense tracts which have long lain neglected, and will continue so until the law of escheats is enforced, or till the population arrives at that point when tenants will be found to pay rent. At present, it is scarcely the interest of the landlord to let his land, the only rent he is likely to receive being the improvements which the cultivator bestows upon the soil. So that he prefers waiting until the progress of population shall force purchasers into the market.

The quality of the soil in Nova Scotia is variable: there is much of an ungrateful description, much exceedingly well adapted to the purposes of the agriculturist. Captain Moorsom divides the country into three great agricultural districts. The Eastern division consists of a strong upland soil well adapted for grain, with strips of rich intervale land along the sides of its rivers. Abundance of limestone may be found here, and which, with the mud from the saltmarshes and sea-weed, will prove invaluable manure. On some of these uplands, seven successive crops of wheat have been raised without the aid of manure, and the seventh crop appeared equally luxuriant with the first. From ten to twelve bushels of wheat for one, or from twenty to twenty-five bushels per acre, and nearly two tons per acre of hay, are the average return of good land in this division. The settlers are however recent, and, being chiefly Highlanders accustomed to extensive sheep walks, are but poor farmers. The southern district, including the capital, is rocky and unfertile, with some remarkable exceptions. The north-western division presents the most promising aspect to the agriculturist. The land is of three descriptions: upland, intervale, and marsh; each of which presents great variety in the soil. Intervale land bears a striking difference of appearance from the broad vallies of England: it resembles the beds of [illegible] have shrunk from the enormously high b[illegible] [illegible]tained

their copious streams. When the snows melt from the uplands in spring, a flood occurs technically termed a "Freshet," which rushes down, and covers the entire breadth of the valley: when, however, this has subsided, a second flood is rarely experienced, and the hay or harvest is secured without danger. The marshland spoken of is of two kinds: one is usually called saltmarsh, the other dyked marsh. The former produces a kind of coarse hay found of great benefit as an alterative for cattle during the winter. Dyked marsh owes its formation to a natural phenomenon which appears to have been in operation for ages on the upper shores of the bay of Fundy. The tide of this singular bay rushing with vast impetuosity through the narrow necks of Capes Split and Chignecto, carries along with it fine loamy particles which accumulate at every step of its progress up the various inlets, till its waves assume the appearance of a compound of water and mud. As the tide recedes, these particles are left behind; and in course of time, a succession of layers raises the surface of the land as high as the usual rise of spring tides. As soon as this takes place, a bank of earth is thrown up to prevent any further overflow. A dam of this description is called an "Abviteau," a term introduced by the Acadian French, by whom they were first introduced. A marsh newly dyked is left untouched for three or four years, during which time rank weeds first show themselves, followed by coarse wild grass. In the third year it is generally fit to receive the plough, and is then sown for wheat. The first crop is extraordinary: twenty-five bushels of wheat for one, or sixty bushels an acre. On marsh dyke, that has been long cultivated, the return of wheat is usually forty bushels per acre of hay, from two and a half to three tons. Speaking of the district of the North-Western side of the country, our author observes, that

'I have often wished while passing through these extensive districts from Windsor even beyond Annapolis, that those who condemn this country as sterile and unproductive, could have been by my side to scent the fragrance that pervades the whole atmosphere: to mark the variegated sheet of apple blossoms and clover flower spread over the face of the country in spring; and to revel in the abundance of fruits which cluster upon the trees in every cottage garden in autumn, like so many oases (?) among the waving crops of grain and Indian corn.'—p. 191.

The crops cultivated by the farmer are wheat, oats, barley, and less commonly peas, buckwheat and rye. Potatoes form the chief article of food throughout the province, and are cultivated accordingly. Indian corn is also raised in large quantities. Crops of beans or cabbage are seldom seen here: the farmers have not acquired the habit of using them for

stall-feeding as is customary in England. Garden vegetables are likewise but little cultivated, certainly not because the soil is unfriendly to them. Some parts of the country are peculiarly favourable to the production of hops, and the plant may be seen in the cottage windows with its luxuriant foliage: its culture is, however, neglected.

The manures chiefly used are those from the stable and marsh mud. Lime is gradually coming into use, and in Windsor, quarries of gypsum have been worked for many years; and, at one time, the annual exportation was supposed to amount to one hundred thousand tons, chiefly to the United States; where it was ground in mills and applied as manure. The effects of marsh mud when used as manure, are said to be felt for ten years after it has been applied.

The average produce per acre of a medium farm about Windsor may be stated at twenty-five bushels of wheat, forty of oats, two hundred of potatoes, thirty-five of Indian corn, and two tons of hay. It is customary to sow two bushels to the acre where the stumps are remaining: and two bushels and a half, and sometimes three bushels in old cleared land. This excess of seed over the quantity used in England, is adopted in order to cause the corn to ripen more speedily. Indian corn produces a greater return than any other kind sown. One bushel is spread in hills over four or five acres, and two hundred bushels for one is a common return. The number of uses to which it may be applied, we have not to learn from captain Moorsom. Cobbett has already sung its praises, and we have repeated his song.

Nova Scotia has hitherto been held not to be a corn country, and the importation of fine wheat and flour has sanctioned the idea. There are reasons for supposing that the wheat of this country could never rival in fineness that of Pennsylvania. Winter-wheat has not or perhaps cannot be produced, the alternate frosts and thaws of the early part of the spring, are said to throw the shoots of the winter grain out of the furrow, and prevent their vegetation. The inferiority of provincial flour may arise from its being made from spring wheat—or from the great quantity of seed to the acre; a practice which deteriorates the plant; or from the carelessness of the farmer in drying and cleaning; or the miller in bolting, or perhaps from the badness of the miller's machinery. No country is better adapted for the production of barley and oats; captain Moorsom found casually in the inns, white oats, weighing forty-four and forty-six pounds to the bushel. As to the live stock, the horse is strong and hardy, well adapted to the country:

the horned cattle are generally good, large and powerful, though the art of fattening is ill-understood. The sheep are inferior in fleece, though the mutton is good: the swine seem to be even worse than the greyhound-pig of the north of France.

Wherever labour is scarce, and land plentiful, it may be predicted that agriculture is slovenly, and the farmer rather solicitous to bring a great space into cultivation, than to finish carefully and neatly the quantity within his power. There are, however, other causes for the negligence, with which his work is done in Nova Scotia; his time is extremely short and his occupations very multifarious. Captain Moorsom gives the following lively account of the calls upon the attention of the Nova Scotia farmer:—

'As soon as the ground is clear from snow, the farmer is busily employed in piling his summer fruit, securing his sheds and other winter apparatus about the house, clearing his drains and setting up his fences. These fences are either walls of loose stones, or rough trunks or poles placed in a variety of ways: in winter they are frequently thrown down in order to allow a free track for the passage of sleds over the snow, and always require to be fixed a-fresh in spring. Much labour and expense is thus annually incurred beyond that which is called for in clipping an English hedge: but the readiness with which poles are procured from the woods, the facility offered of shifting the pole-fence in any desired direction, and still more, the expense and trouble upon first rearing a hedge where no such thing has been ever planted before, are the reasons which induced the employment of timber fences, even where a farm is at some distance from the forest: hedges however are slowly creeping up in the best cultivated districts. Ploughing, sheepshearing, and seed-time occupy every moment from the middle of April to the middle of June, and attending to the garden and field crops, and removing the accumulated refuse of winter bring the farmer to the mowing season before he is nearly ready for it. The scythe comes into play in the middle of July: and in some seasons I have seen the hay left rotting on the ground for want of time to secure it before the speedy ripening of the grain obliged the husbandman to employ the sickle. The sheaves are commonly brought into the barn, or stacked by the middle of September. Digging potatoes, gathering India corn, and fall-ploughing, both for winter grain and as a preparation for the soil against the following spring, occupy the farmer till frost and snow compel him to put on mitts and woollens, and labour with his axe in the woods in order to provide fuel and fencing-poles, which he brings home, as soon as the snow renders hauling easy. Amid such a variety of work, there is but little time left for attention to neatness; much however might be done which is now neglected. The larger quantity of land under cultivation, in proportion to the number of hands employed upon it, is another cause not only of slovenly farming but of the general inferiority of produce, both in quantity and quality, below the real capabilities of the soil."—p. 206.

There is no fixed class of labourers properly so called. One farmer lends a hand to a neighbour, expecting a similar return; or the farmer's son living at home in the winter, hires himself out for the summer, which is considered preparatory to establishing himself. The greatest portion of labour is performed by the annual importation of emigrants; who, arriving in summer are too late to take possession, and begin farming on their own account before the winter, hiring themselves out for the remainder of the active season.

At or near most of the ports, in the summer, labour may be procured at nearly the same rate as in England, upon any press of work, such as the cutting of a canal. Those employed in this way near Halifax, receive half a dollar a day. Workmen however, such as those who find technical employment in the mines, are variously paid, from a dollar and a half to three dollars per day. The cheapness of living, and indeed of every thing except clothing, is such that the wages of most operative tradesmen enable them to be idle, if they are so inclined, three days out of the six. In the farms, upon any press of work, such as hay-making or harvest, a labourer will sometimes though rarely, get as much as a dollar a day and his keep. Mowers will sometimes engage for a dollar per acre, finding their own provisions; a good mower will get through his acre in the course of the day, by working after sun-set.

A farmer finds considerable difficulty in disposing of his produce. About Windsor indeed, though a farmer can always sell, he can very seldom get prompt payment. When he wishes to dispose of any considerable quantity of produce, he usually advertises the same at auction, and will thus obtain fair prices by giving six months credit: but even then, his payment will probably be partly in kind, owing to the general scarcity of ready cash.

The seasons in Nova Scotia may be numbered as those of England, but their proportions vary. Spring does not commence before the month of April. Summer occupies three months, dating from the early part of June. Autumn, a similar period, terminating with November, though sometimes protracted a little later. And winter, borrowing a month from the next quarter, prevails from December to the end of March. April is cold, and subject to raw winds, in consequence of the masses of ice which break up from the gulf of the St. Lawrence and float past the parallel of Nova Scotia. The most disagreeable weather in the opinion of our author occurs at this season between the vernal equinox and the end of autumn. The ground-thaw, together with the aid of melted snow and rain,

converts all but the best-formed roads into perfect quagmires. May and June are foggy. July and August are remarkable for the prevalence of calms. Autumn is the season in which the climate of Nova Scotia may vie with that of any country in the world. September and October are very similar to the same months with us; but November, and even a great part of December present days to which there is no parallel in England. This sort of weather is called Indian summer. The whole atmosphere appears suffused with a faint vapour, as if there were fires in the woods, beyond the circumference of the visible horizon. The brilliancy of the sun's disk is deadened, and his rays more equally refracted, so as to produce but a very faint shadow: the air is generally calm, and as mild and warm as the loveliest morning of May. Winter is exceedingly severe in comparison with England, and of the severity and continuance of the snow-storms, we can here form no conception. The greatest degree of heat in the experience of Captain Moorsom, at Halifax, was 95° of Fahrenheit, and the extreme cold 10°. In other parts of the province he has known the thermometer to range from 25° to 32° on winter mornings, during the course of a fortnight. The extreme difference in temperature observed by our author in twenty-four hours, was 62 degrees. There is not much reason to believe that these changes produce that effect upon health that might have been expected. "Individually speaking" says Captain Moorsom, "I prefer the climate of Nova Scotia to that of England, simply because, in the former country, a much larger portion of the pure air of heaven may be inhaled within a man's lungs during the twelve-months than in the latter. More intense heat and more intense frost are undoubtedly experienced: but though the days are hot, the evenings are always cool and ten-fold more delightful from their contrast with mid-day." Some one said, "it is not frost that makes the cold." In Nova Scotia they seldom feel those raw searching days which seem to dry up the very marrow and which are common in England, during our winter months.

Of the progress of the colony and of the result of individual exertions, an apt illustration is said by our author to occur along the principal roads and is thus described.

'A hut formed of rough logs, or long, straight trunks, placed one upon another as they are cut from the forest, has now become the gable-end (or as we should deem it in England) the wash-house to a neatly-boarded cottage: a little farther on is seen a wooden frame house, of two or three stories, sufficiently full of windows to excite the astonishment of any English tax-gatherer, and standing in a well-stocked garden. Ask their owners their history of these buildings;

and he will tell you.—"Fifty years ago my father was living in the log-hut which he set up when the first clearing was made about this place: we finished the boarded cottage together and there my father died. I built this frame-house a few years ago, and my son has the cottage till he can find time to build a house for himself.'

Crown land is obtained on application to the Commissioner at Halifax, at the rate of about five pounds currency (4*l.* sterling) for one hundred acres, which covers all fees, and redeems the quit-rent. The population of the provinces of Nova Scotia, according to the census of 1827, amounts altogether, including Cape Breton, to which Captain Moorsom's work does not extend, to 143,000, and is of a very mixed description. It comprises the Indians or Aborigines; the Acadians or descendants of the French Settlers; the free Negroes who have fled hither and the emigrants from the United States, Germany, England, Ireland and Scotland. The Indians are supposed to amount to about six hundred, and the Negroes to one thousand five hundred. The Acadians form upwards of a twentieth part of the population, and are a valuable branch of it. The emigrants latterly have chiefly been directed to Sydney in Cape Breton, Picton, and Halifax. They who repair to Picton are chiefly Scotch, from North Britain, and have friends in the country, and are usually enabled to find immediate means of support. Those who have lately arrived at Sidney and Halifax are principally from Ireland, and disembark alike destitute of friends and property.

'I remember,' says Captain Moorsom, 'in illustration of this fact, more particularly among other instances (one day while wandering in a wild part of the country about twenty miles from Halifax) entering a hovel that bore signs of more peculiar misery than its companions. A broken bench, two or three damaged articles of crockery, some straw, and an old blanket, comprised the furniture of the interior. Some small potatoes, the same that the farmers leave as refuse on the ground, thrown into an iron pot by the fire, the only thing in the shape of food. A sickly looking woman, and two infants scrambling on the floor were the inmates. This family had landed from Plymouth at Halifax about a month before: the father had got this hovel rent-free, on condition of putting some little crop into the ground, and was endeavouring to prepare for the winter, by making a few shingles [coarse cuts of wood like, and for the same use as, tiles] for the Halifax market.'—p. 73.

In the summer of 1827 four hundred and sixty of these poor creatures landed in a state of the utmost destitution: they were rescued from starvation solely by issues from the public treasury. A malignant disorder arose among them, and extended to the inhabitants of the capital; in twelve months it

had destroyed one-twelfth of the total population. We are informed that the recurrence of such mischief has been provided against by the local legislature. Captain Moorsom on occasion of this calamity, calls for some revision of "the Imperial Code by which the system of emigration is regulated." But the fact is, that there is no system of emigration, and much less is it regulated by the Imperial Code. An importation of able-bodied men is a valuable consignment to a country like Nova Scotia, and if the colonial government allows it to perish by the way side it does not do its duty: much less if it permits it to spread disease among its own subjects. A few very simple regulations, an active officer or two, and a place of temporary reception for poor settlers, would relieve the government of its difficulties and provide against the waste of that most valuable of possessions for a young country, human labour. It might be useful to open a register at the different ports in which cultivators of land or other employers of labour might insert the nature and amount of the demands of service. The population of Nova Scotia is at present doubling in fourteen years. The emigration within the last three or four years has probably amounted to a fortieth of the population. The public revenue is raised exclusively from imposts upon imported goods, and is at present rapidly increasing. The amount appropriated for various purposes by the House of Assembly in the Session of 1829, was about 60,000*l.* currency.

The prosperity of a country depends on nothing more than facility of internal communication. Nature has not been niggardly in this respect to Nova Scotia, but as it requires the assistance of art and labour, the difficulties are still great. Numerous roads are kept up in tolerable order in the province, but generally speaking they are impassable except with the greatest exertion. They are made and supported by statute labour and by grants from the assembly. Turnpikes are unknown. A commission is appointed by the government to watch the proper expenditure of the money, and as great attention has lately been paid to the subject, and the importance of every internal communication is become well understood, considerable improvements are expected to take place.

In speaking of the exports from this country, something has been said of its mineral productions. This is however a source of wealth to which attention has only been lately turned, and which at present has been but little investigated. In the years 1825-6 a company was organized in London, which now rents under certain terms from the crown, the right of working mines and minerals in Nova Scotia. In 1827 this company commenced

active operations both at Picton and at Sidney in Cape Breton, in a spirited style, the conductor of which is praised by Captain Moorsom for his knowledge of his business and his experience. These operations have hitherto been limited at Picton to coal mines and iron works, on imported material. The iron mines are about to be opened. In several places coal protrudes from the surface of the soil, and iron ore exists in masses upon the East River, to such an extent that a mountain at the upper part of the valley is said to be entirely composed of it. The lease of this confers upon the Albion Company the privilege of working all the mines and minerals that have or may be discovered in Nova Scotia, except on such lands as have already been granted without restriction. These are however few. The Annapolis Iron Company is the only establishment which enters into competition with the Albion.

We have not referred to Captain Moorsom's descriptions of scenery nor to his sketches of society: they will serve to amuse the reader, but do not fall in with the design of this *précis* of the more material facts. It is sufficient to know that on the whole Nova Scotia is a picturesque country: many parts of it are not to be exceeded by the choicest portions of England; its character is however mostly bold and wild. Nature, as our author observes, seems to have employed the wedge and the hammer in its construction. The inhabitants are hospitable, friendly and mild in character: they seem to have caught something of the Yankee sturdiness of manner, but in all essentials, claim the praise of good subjects. They are governed without difficulty: the annals of Acadia present the records of no internal commotion. Society seems in the larger towns, particularly Halifax, pretty much on a footing with provincial towns in England, when they happen to be the station of an idle regiment or two of horse or foot. Those who wish to know how the Magnates of the province spend their time will find some essays on the subject in the Letters. Winter here, as in Canada, is the season of gaiety, and singular enough, of out-of-door excursion. But the frozen snow supplies the place of roads, and as before quoted, 'it is not frost that makes cold.'

If the officers of the troops stationed here were to employ themselves as our author has done, in seeking and recording information, we should look with more patience upon the money they cost and the inutility of their military existence. Captain Moorsom himself is still soldier enough to regret that the men are rationally enough employed upon the public works. "The effects" are in a greater or less degree to convert a battalion of

soldiers into a corps of plasterers, stone-heavers, and ditchers; to throw temptation (in the shape of additional pay received for this work) in the way of men wholly incapable of self-restriction, and to destroy in six months that which has been the toil, the pleasure, and the pride of a zealous adjutant, captain, and commanding officer for as many years." It is doubtless a painful thing to destroy 'the pride and pleasure of an adjutant, captain, and commanding officer for six years,' all at one fell swoop; nevertheless, we would ask any unprejudiced person, in time of peace, which is the most respectable and useful body, a battalion of pipe-clay belts and breeches, or "a corps of plasterers, stone-heavers, and ditchers." Are not idleness and the absence of occupation a greater temptation than increase of pay earned by labour: are soldiers who are under the rod of military discipline likely to be more imprudent and dissolute in the employment of their money, than men who are their own masters? After being employed in raising a battery, digging a canal, or building a bridge, is a regiment less qualified to defend them? These questions which answer themselves, show how difficult it is even for a sensible well-informed man to emancipate himself from the prejudices of education.

ART. XIII.—*The Stamp Act—Dr. Whateley's Thoughts on the Sabbath.* 8vo. Fellowes. 1830.

PROTESTANT England suffers under the reproach of deficiency in Theology, and it is scoffingly remarked, that our clergy are better skilled in Tithe-law than in the science of Divinity. Were we to confine our observation to the high places of the church, the imputation might seem to apply, but who needs to be instructed that merit is often content with a modest obscurity, and that the rarest qualifications frequently reside where there is the least show or expectation of them. Indeed, experience has taught us to look for service in any quarter but that in which there is the endowment. What man would be so mad as to seek learning in a college, astronomical science in a royal observatory, lore among chartered antiquaries, or any thing but pomposity and presumption in any presidency, save alone Mr. Davies Gilbert's. The rule of the world is Dogberry's Principle of Election, "the most improper man to be constable." We have just witnessed an illustrious example in point; a king was required for Greece; that people being somewhat in the condition of Alley Croker in the song, "Wanting a Wife to make him uneasy;" with all the world of

unfeathered bipeds before them, who do the statesmen of the three great powers elect, but the Prince Leopold of Saxe Coburg, a person so unfit for the throne, so utterly void of the kingly ore, that he—we really scarcely know how to write the extravagance — that he absolutely considered the security and satisfaction of the people as conditions necessary to his undertaking the sovereignty of them. What an example is this of the perversity of choices! That the election should have fallen on a Prince who considers *the people!* Why, had the Duke of Wellington presented his Royal Highness with a horse, he would have had sufficient good manners to bestride him without examining whether he had three legs or four, but the favoured of the contracting powers actually looks the gift in the mouth. The discussion between this poor spiritless creature (we write without apprehension of prosecution from the Whig Attorney) and Lord Aberdeen resembles the passages between Joseph Andrews and Lady B., when that type of shameful modesty declines the lady's tendered favours on the score of virtue. Did ever one hear man talk of his virtue before? indignantly inquires the fair. Did ever one hear Prince talk of the people before, must have reflected Aberdeen, except for their taxation? Yet such a prince had been chosen—a prince of unprincely regards, a prince who vexed himself with considerations of the people's good, and was, therefore, soon discovered to be a nincumpoop. But in this blindness to qualities are favours tendered and bestowed! Lady B. offers herself to a Joseph—Lord Aberdeen woos Leopold to Greece—the abject creature utterly wanting the true Tarquin ore, lacks lust of rule, and thinks of the honesties! What an escape have the powers had of a king of Greece of this unkingly mettle. Still the fact of the tender exemplifies the errors of appointment on which we insist. Completion only was wanting, and the completion rested with the prince, and completion would have avoided the discovery of unfitness. For the moment a man has wrapped himself up in the domino of power, defects become inscrutable. The bench of bishops is no exception from these remarks. Theology is admitted to be deficient, but to no one bishop will the charge of ignorance be brought home. There is a collective ignorance as well as a collective knowledge. On the spiritual bench, we repeat, however, no sane man would think of looking for divine science, but England has her theologians where she would least expect to find them.

Within the last month, indeed, by one of those singular accidents which so often bring about great discoveries, a board of theologians has been brought to light. They are persons hav-

ing all the properties of substantial merit. They are unostentatious of their qualifications or performances, and dispatch their divine functions as things of course, requiring neither study nor knowledge, and claiming no praise. They wear no outward symbols of spiritual grace; they rejoice in no cauliflower-wigs, no aprons, no bands, no shovel-hats, no single-breasted coats; their divinity breaks out in no garment, and their guise is that of ordinary sinners. But before we say more of them, we would place this learned body before our reader's view according to the circumstances of their discovery.

Religious publications are exempt from the Pamphlet Duty. The Rev. Dr. Whately lately wrote a tract entitled 'Thoughts on the Sabbath,' which was published by Mr. Fellowes of Ludgate Street. The Commissioners of Stamps took proceedings against the Bookseller for the recovery of the penalty attaching to the non-payment of the Pamphlet Duty. He memorialized the Board, alleging that the work being one of Piety and Devotion was exempt from the payment of the duty. We shall tell the rest in the words of Mr. Fellowes.

"A short time after I had so done, I was favoured with a letter from their solicitor, stating that the Commissioners *had mitigated the penalty (twenty pounds) to twenty shillings.* At an interview subsequently with the solicitor I repeated my claim to exemption on the ground that the publication was a religious work. To this Mr. T. replied, that the Commissioners considered it '*rather the contrary,* because Mr. Whateley *controverts the Mosaic Law,* and inculcates that *we may do just the same on the Sabbath as on other days.*' Finding that my objection was of no avail I had no alternative but either to pay the fine, or incur the inevitable expense attendant on even a successful contest with the Crown: of course I preferred the former as being the less evil of the two. To me it appears most extraordinary that the Commissioners of a Revenue Board should assume the character of Theological Critics, and as such venture to decide, according to their own notions, a question concerning which very many eminent Theologians differ in opinion."

We have here complaint where there should be joy and gratulation. When the apple fell on the head of Newton did he complain of the bruise? To what a pass has public spirit descended when a man grieves at having been made the means of a grand discovery at the cost of some poor pelf. At the price of twenty shillings Mr. Fellowes discovers a body of Theologians, and yet he grumbles at the charge! As the Board is composed of six, the rate is three shillings and four pence for each Theologian, and altogether the cost of the discovery is not more than the sum

commonly offered for the recovery of a lost terrier or lap-dog. And why should Mr. Fellowes think it amiss that the Commissioners of a Revenue Board assume the character of Theological critics, when that spiritual Bench which should be qualified for Theological criticism assumes so very much of the character of a Revenue Board. It is perfectly consistent with the scheme of things that the Taxing-men should act as Divines; as the Divines distinguish themselves in the parts of Taxing-men. Let it further be observed how practically excellent has been the result of the associated Stamp and Spiritual Duties. Heterodoxy has been, by the effect of this union of piety and calculation, turned into pounds, shillings and pence. The penalty first imposed on Mr. Fellowes was twenty pounds, but on better consideration, when the judgment of the Synod resolved itself into the terms that the pamphlet of Dr. Whately was *rather the contrary to Pious and Devout*, the fine was reduced to twenty shillings; whence we find the precise sum of punishment belonging to the publication of a work 'rather the contrary' of pious, in that payment of the duties on heterodoxy. Twenty pounds would have covered Dr. Whately's extreme error, twenty shillings expiates the delicate 'rather-the-contrary' degree of offence. As twenty pounds is to one, so is a great heresy minus Stamp Duty to a slight contrariety to orthodoxy minus Stamp Duty. Thus we see that by these Theological guardians of the Revenue, religion is rendered '*res fisci*.' The question of qualification is utterly irrelevant to the usages of our scheme of policy. Parliament, which has settled the religion, is surely competent to order the appointment of the Theologians. They who make the lock are indeed the fittest to direct the fabrication of the keys. It now only remains for us to name the learned men who sit in judgment on the Theological writings of this country, and condemn the works of such authors as Dr. Whately, conveying their critical decrees through the appropriate channel of an attorney, and expressing the amount of their dissatisfaction in the tangible shape of a fine. The divines are

JOHN THORNTON, Esq.	J. W. BOWDEN, Esq.
W. A. MONTAGU, Esq.	EDWARD SAURIN, Esq.
H. S. MONTAGU, Esq.	R. WELLESLEY, Esq.

Such are the Theologians of England, and for the practical efficiency of their tenets, acting as they do through the organ of an attorney, we will match them against the Theologians of any country in the world. It is not the least part of their merit that they do not write big books, and that they shew their

learning in judgments of as much brevity as force. It is true their Theological office only begins with a breach of the Stamp Duty, and this law is exquisitely consistent with the genius of our society which takes no cognizance of offences that pay their way according to the rule. With what felicity of selection the word Duty has been chosen to express exactions of customs, fiscal and moral! In *pay* is summed up the whole duty of English Man.

We shall now submit some documentary evidence in support of our representation. The first is a kind of Bull issued by Mr. Timm, the mouth-piece of the infallible Synod of Somerset House.

Stamp-office, Somerset-place,
24th May, 1830.

Sir;—With reference to the proceeding against Mr. Fellowes, for neglecting to enter at the Stamp-office, and pay the duty upon Dr. Whateley's pamphlet, entitled, "Thoughts on the Sabbath," published by the former, I beg to state that the prosecution in question was instituted on the information of a common informer in no way connected with the Stamp-office, who, without any previous direction from any person in this department, purchased the above-mentioned pamphlet, and brought it, with several others, to this office, and lodged informations, in the usual way, against the several publishers for neglecting to enter such pamphlets and to pay the duty thereon, pursuant to the Statute 10 Ann, c. 19. That Act (section 102), as well as the Schedule to the 55 Geo. III. c. 185 (by which the present stamp-duty on pamphlets is imposed) contains an exemption from duty of "books containing only matters of devotion or piety," but in construing this exemption, it has been, as far as I can learn, the invariable practice of the Stamp-office to consider publications containing matters of controversy on religious subjects (and of this description Dr. Whateley's pamphlet appears to me to be), as not coming within the terms or meaning of the exemption, and therefore such publications have hitherto been charged with duty. This practice of the Stamp-office I believe to have been founded upon an opinion given by Sir Dudley Ryder, when he was Attorney-general, nearly a century ago; a copy of which opinion, with an extract from the case, as I find it transcribed in a Case-book belonging to my department, I inclose for your perusal. —I also send you a list of pamphlets on religious subjects entered at the Stamp-office within the last two years; upon which, however, I beg to observe that, judging from their titles, I think it probable that several of them fall within the exemption before-mentioned, and on inquiring of the officer upon what ground the duty has been charged upon them, I am informed that in several cases he has intimated a similar opinion to the publishers at the time of their entering them, but that the latter entertained doubts whether their publications came

within the exemption or not, and therefore, and inasmuch as the duty was but of small amount, they resolved to pay it rather than run the risk of being informed against, or have any further trouble about the matter.—I am, Sir, your very obedient servant,

J. TIMM,
Solicitor of Stamps.

To the Honorable J. K. Stewart, &c. &c. &c.
Treasury.

The second sentence of the case relied on by the holy Commissioners of Stamps is utterly unintelligible, and the first query is sheer nonsense. The citation of such vague trash as authority is a remarkable instance of the absurd addiction to any thing that can serve for the pretences of a precedent.

Pamphlet Duty.

Case.

Reciting 10. Anne, c. 19, s. 101,—

It is insisted by the Printers and Publishers, that under the Exception of Books containing only matters of Devotion or Piety, all Controversial Divinity or Books relating to Divinity are excepted. And you have herewith one, No. 11 which is insisted to be within the said Exception, though always formerly paid the said Duty, particularly in the two great Controversies of Sackerville and Hoadley.

Q. Whether the said Books containing Controversial Divinity or Books relating to Divinity are any more than Ecclesiastical History. And whether they are within the description of Devotion and Piety. And whether they are not subject to the said Duty, and particularly that marked No. 11*, herewith left.

I think that marked No. 11 falls within the description of Books of Devotion and Piety, and therefore not subject to the Duty. But Books of mere Controversy, though relating to points of Divinity seem to me not to fall within the description, and therefore liable to the Duty.

(Signed) D. RYDER.

21st January, 1740.

Number 11 should then be the example marking the distinction between the pious and devout, and the controversial; but to consummate the absurdity, No. 11 is not forthcoming, it cannot be found, and yet the vague reference to it prevails as a guiding and a ruling case!

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* No. 11 cannot be found.

The following is the List of the Pamphlets which have paid duty, and it shows how high the holy Commissioners have drawn up the standard of Piety and Devotion, when such works are not allowed exemption:—

Stamp-office, London.
19*th April*, 1830.

A List of Pamphlets on Religious Subjects, entered at the Stamp Office, within the last two years.

Heber's Charge to the Clergy at Calcutta	*Murray.*
Thoughts on the Co-operation of the Laity of the Church of England with the Ministry	*Rivington.*
The doctrine of Justification by Faith only	*Ditto.*
A Letter to Protestants converted from Romanism . .	*Ditto.*
An Invitation to all Christians in behalf of the Society for Promoting Christian Knowledge	*Ditto.*
The Liturgy of the Church of England defended . .	*Cadell.*
A Clergyman's Address to English Protestants . . .	*Rivington.*
Archbishop Tennyson's Form for receiving Converts . . from the Church of Rome	*Ditto.*
Brief Suggestions on translations of the Holy Scriptures	*Longman.*
Letter to the Clergy of the Diocese of Chester . . .	*Hatchard.*
A forensic Sermon	*Longman.*
Pastoral Letter on the subject of Revivals in Religion	*Westley.*
Appendix to James's Family Monitor	*Ditto.*
The Latter Day Glory	*Goyder.*
The Conviction and Edifying Death of A. Dunn . .	*Keating.*
Remarks on the first Thirty-five Chapters of Isaiah .	*Cadell.*
Elegy in a Country Church-Yard	*Ditto.*
Protestant Letter addressed to a Friend by the Rev. . G. Burgess	*Rivington*
A Defence and Explication of the Singleness, Immortality, and Incorruptibility of the Humanity of the Son of God	*Palmer*
The True Humanity of Christ	*Ditto.*
An Attempt to elucidate the Prophecies concerning Anti-Christ	*Rivington*
Introductory Lectures upon the Study of Theology	*Taylor*
An Appeal in behalf of the Society for propagating the Gospel in Foreign Parts	*Rivington*

Let us now observe the infallible and holy synod in a complying mood. Mr. Fellowes was about to publish another Pamphlet on the Sabbath—a pamphlet, not written by a Doctor, but by a Bishop, and observe with what eagerness the stamp of piety and devotion is accorded to it, by the exemption from the duties. The publisher tendered the duty, which was resolutely refused

by a learned clerk, on his own responsibility, and thus we find the rapacity for Theological criticism even in the inferior departments of this divine office.

Ludgate-street, May 6th, 1830.

Reverend and Dear Sir;—I think it right, after the late proceedings against me by the Commissioners of Stamps for not having paid the Pamphlet duty, as publisher of your "Thoughts on the Sabbath," to inform you that, fearing a repetition of such proceedings, I tendered my recent publication—the Bishop of London's Letter on the Lord's Day—for entry at the Stamp-office. The Clerk of the Pamphlet department stated, that as "works of Devotion and Piety" were exempt by the Act, he, for that reason, and on his own responsibility, should decline receiving the Duty to which pamphlets of a different description were liable.

I am, Reverend Sir,

Rev. Dr. Whateley. Your Obedient Servant,

B. FELLOWES.

ART. XIV.—1. *Good Friday; or the Murder of Jesus Christ by the Jews.* —By William Cobbett. Published by the Author, 183, Fleet Street. 1830.

2. *Cobbett's Weekly Political Register.*—London; Saturday, June 5th, 1830.

3. *Two Letters, in answer to the Objections urged against Mr. Grant's Bill for the Relief of the Jews: with an Appendix.*—London. W. J. Ruffy. 1830.

*LES blancs l'ont tué; tuez tous les blancs!**—Such is said to have been the exhortation of a negro chief in St. Domingo to his followers, while pointing to the crucifix.

The Good Friday sermon against the Jews, appears to have been written for the purpose of neutralizing any inference that might be drawn from the above, touching the relative capacities of the African and European races. The exhortation of the negro might have been considered as decisive, if a white man could not have been produced to match it. But when allowance is made for the difference of opportunities, of provocation, and of circumstances, it is impossible to deny that as far as the evi-

* 'The white men killed him; kill all the whites!'

dence has yet gone, the balance is in favour of the Africans; and something must be produced against them, much more absurd, unreasonable, and senseless than has yet appeared, before it can be averred to be brought to an equality.

The author of the sermon loves not Jews. Nobody wants him to love them; but as a Christian, he should be forgiving. 'They have pelted me,' says he, 'many a time with snow balls, 'or rotten apples, or clods of dirt.'* No, there is a mistake; the youthful patriot pelted *them*. They invaded not his bacon, nor trampled upon his turnips; but the juvenile philosopher knew by their beards that they deserved punishment at his hands, and the spirit that fell on him told him he was to be the avenger of his country. What in his tender years he commenced with mud, in his ripe age he consummates in a sermon; and stands forth gloriously in both, a judge in Israel from his youth up, a man devoted from his swaddling-clothes to be a shepherd and a leader of the people.

Now hear the reasons. Certain Jews in the time of Tiberius committed a murder. That is, the chief priests and leaders of the synagogues,—energetic men in all ages,—raised an outcry against an innocent individual for being better than themselves, and by dint of setting on an orthodox, church-and-king mob, persuaded a rather soft Roman governor to allow them to put him to death. And the mob yelled, as a high-church mob would yell to-morrow, if the author of the Register or any body else was the victim. But supposing a mob did this, and the author of the Register was the sufferer,—will he set it down in print, that the descendants of Englishmen at large ought to be pelted by little boys from henceforth for ever? Can he prove that there would be common sense or vulgar two-penny reason, in thus heaping up the punishment of the guilty upon those who could have no control over the fact? How does he know, but he is himself a lineal descendant, of some that made holocausts in Smithfield; and if so, what pity there is nobody to pelt the portion of his ancestors that is in him, to scrutinize with pebbles the seat of their original sin, and do justice on the peccant part that has descended to their posterity. How strange would have been the contortions, how violent the reprobation, if it had been proceeded to execute such justice at Botley or Barn Elms; and yet why not, as well as the youthful Porcupine assault passengers on the high road for sins committed under the Roman Empire, or the grown one write sermons to call down on them the hatred of their countrymen.

* Weekly Political Register, June 5th, 1830.

Secondly, they take usury; that is to say, they let out their money for hire, to those who think it worth while to take it in. And why not money, as well as a newspaper? Is there any thing more degrading in a man's letting out the use of his money for payment, than in writing a newspaper for payment? Where is the proof, that one way of deriving advantage from a man's industry is discreditable, and the other is not? It must be highly consolatory to those who have reason for apprehension from some parts of the author's political course, to see that he is still groping among such beggarly elements, as trying to raise an outcry against men's not giving the use of their property for nothing. Does the author of the Register give his Register for nothing? Will he *lend* a good half of his flourishing plantation-ground, *hoping for nothing thereby?* And if not, why should not there be a law to pelt him, and a special act to prevent him from sitting in the House of Commons?

When a European vessel is wrecked on the coast of Barbary, the survivors are divided among the captors, and immediately engaged in such servile offices as they are fit for. On one occasion an unhappy man of letters was found to have been employed in sitting on eggs to hatch them. If the author of the sermon on Good Friday, were made to hatch eggs by a Mussulman, he would learn how bitter and absurd a thing religious persecution seems when the suffering is reversed. How speedily would better views introduce themselves into his mind, how rapidly would his prejudices be mollified, his hatred ooze away, and his unlovely passions sink into repose, if he were introduced for one three weeks (or four, if the eggs were duck's) into this downy seat of meditation and remorse. Marius on the ruins of Carthage would hardly be a more striking subject for a painter, or a more useful for a moralist.

Think only of the author of a newspaper at the present time of day, canting like a bishop, about "a neighbouring nation "plunged into all the terrors of anarchy," and quoting St. Gregory to prove taking interest to be "*felony* and *parricide*." What can have led any sensible man, to mount on a dead horse like this? The appeal might once have been dangerous; but he must have sadly miscalculated if he did not know, that all possibility of blowing up a spark of danger on such grounds, had long since gone out.

Tertio, that the Kentucky men, a great authority, have driven six Jews from Louisville, by virtue of the intuitive faculty by which a Kentucky man sees into the deficiencies of the laws. Remains to be known, whether this proves any thing but that

the Kentucky men were in their debt. For be it noted, there is not the slightest pretence of proving that they amassed property by unlawful methods, or by methods which were not just as open to every christian Kentucky man as to themselves. But their sin was, that they amassed property; and the sin of the Jews in Europe is the same. Petitions upon petitions come forward, declaring that they are as true and just in their dealings as any other order of citizens. But they amass property, and therefore the author of the sermon on Good Friday cannot abide them. To balance the story from Kentucky, it should at least have been stated that the West Indian legislatures, not generally supposed to labour under any mania of liberality, or any strong degree of blindness to their own immediate interests, were at the same moment removing disabilities from the Jews. The conclusion is simple; in the West Indies it is the custom for men to pay their debts, in Kentucky not.

Lastly, it appears that when the author of the Register was 'a very little boy,' 'the house of a Mrs. Hutchins, a widow, 'who occupied a farm and gardens at Chelsea,' was broken open by Jews, who went to the house in the night, forced the door open by means of a screw or jack (a thing beyond the genius of Christian diplomacy), and robbed the house of every thing valuable, and murdered the servant man with circumstances of great barbarity. Whereupon the author is surprised, that Mr. Hutchins of Chelsea, who is believed to be the son of the Mrs. Hutchins above mentioned, does not petition the House of Commons against the Jews. For which the best reason that can apparently be given, is that Mr. Hutchins is not disposed to prove himself such a simpleton.

Nevertheless, the author of the sermon does not call upon Christians "to destroy them;"—*how charitable!* He does not exhort them "to hunt them from the land like beasts of prey;" —*how considerate!* He only wishes that Christians would not be so blasphemous as to allow them an equality of laws. He does not call out for burning them, for burning days are gone; but he sees a certain chance of struggling to inflict on them some minor kind of martyrdom, and he preaches at it with the vigour of a capuchin and the keenness of the Holy Office. And after all, what authority have Christians for inflicting legal disabilities on Jews, on account of any thing they or their forefathers may have done? The sufferer on whose account all this violence is pretended to be got up, died exclaiming, 'Father 'forgive them; for they know not what they do.'—'Never for-'give them,' says the author of the sermon, 'for they knew very 'well what they did; and their posterity knew too.'

So far for the question of moral propriety; next, for that of theological. Christians believe that an individual in human form in the reigns of Augustus and Tiberius, gave evidence by miraculous performances of his being sent of God. Large masses of mankind, both in the countries where the performances are stated to have taken place and in others,—at the time stated for the performance, and all subsequent periods,—have agreed in the belief that the statement is correct in all its parts, and vast superstructures of temporal and spiritual power have been raised thereupon. In the midst of this is found a sect of men, who say (and nobody denies it) that they are the lineal descendants of the inhabitants of those countries, and though it is certain that numbers of their countrymen at the time gave in their accession to the reality of the facts in question, *they* are the descendants of the portion that did not. They raise no doubt on the fact, that an individual who declared himself, or was declared by others, to be in some manner the King of the Jews, and who added thereto, by the avowal of his own followers, a system of energetic attack on the established hierarchy of the country,—was (as has happened to a majority of reformers in every age, and as would be exceedingly likely to happen in many places in the present age) put to a violent death by the influence of those who had strong interest in putting down his alterations or reforms. They have no motive for denying, that he was put to death under circumstances of the highest suffering and contumely that could be applied by the execution or perversion of the existing law; and they make no show of maintaining, that the mode of execution was not barbarous, ferocious, and disgraceful, in as high degree as in the case of any other laws of barbarous ages. But, setting all this on one side, they appear here as the representatives of those who were upon the spot and *did not* see cause for coming to the same conclusions as the Christians. And hereupon bursts out a demand, to pelt them, to treat them as 'inanimate substances,' to 'rise upon them as a body, and drive 'them out of the territory.' Though they creep into holes and corners with their religion, they are 'insolent ruffians, who 'mock at the religion and morality of Christians.' To the truth now,—there is nothing like the truth,—*did ever any man, woman, or child, hear a Jew mock?* Let proclamation be made at St. Paul's, let a reward be offered for any living creature that will come forward and prove, that he ever heard a Jew mock; and let it be settled once for all, whether this is truth or calumny. Their ceremonies, though avowed by Christians to have been instituted by the immediate command of God, are declared by

the same man that professes an outrageous Christianity, to be such as it is 'infamy to call religious.' They are moreover 'filthy;'—they wear a wrong coat, or they stink. All the persecuted stink. One of the first receipts for having a man persecuted, is to impugn the credit of his corporal presence. But what does it all come to, but that there is a certain caste of believers among the Christians, who wish the Jews were at the devil? What inference would be drawn from the fact, if the case were reversed,—and if it was the Christians that were to be put out of the pale of society, because they gave evidence of a belief hostile to the tenets of the Jews. Ages ago, (and the sermon would have been in its right place, if it had been found in a mummy-case), such policy might have been of use. But who will look abroad into the world as it stands at the present moment, and view all they see there with reference only to its existence, and not to whether they are pleased with its existence or the contrary,—and then say there is any policy just now, in getting up a hubbub for the suppression of men of an opposite belief?

And this leads to the broad statement of the proposition,—That men do not form civil societies, for the maintenance of *any* form of religious opinions, but for purposes common to all and antecedent to all;—and that consequently all attempts to found any civil superiority or inferiority upon religious belief, are simply attempts to defraud and rob; and are to be resisted, like other attempts at fraud and robbery, by the good sense of the community informing them, that the injury is not done to the sufferer only, but to the whole. Why is not X. Y. Z. knocked down and robbed at Charing Cross;—when it is palpable upon inspection,—when it is clear beyond all possibility of helping it by demonstration,—that no other human being, can by any the remotest possibility, henceforth or at any imaginable period, be X. Y. Z.? Is it clearer or so clear, that the member for the University of Oxford will never be a Jew? Or is it practicable to imagine a more perfect exemption from all chance of being made to exchange personalities with the sufferer? Why then does the sovereign people, in the exercise of its popular good-will and pleasure, determine that X. Y. Z. shall not be knocked down and robbed at Charing Cross,—even though to wearing an unfashionable garment, he should add the crime of selling oranges, and be strongly suspected of having lost a joint of his little finger, though he keeps it carefully invested in his small-clothes? Why, in the name of common sense, but because every lout—that is not a thief;—every way-faring man—that is not a picker up of unconsidered trifles by nature and by

practice;—knows that if X. Y. Z. comes to any harm, there is not a combination of letters in the alphabet that is not likely to have its turn. Equality upon such points, is the first principle of popular justice. It is '*ne QUIS fur*,' without any exception in favour of religious creeds; and if the people's betters do not think so too, it is only because their betters are under circumstances of peculiar difficulty and temptation, which the people should make allowances for, when the question is of allowing them to have their own way. But as long as there is any disposition to thrust forward some particular set of individuals, as those who may properly be cut off from common right,—as long as there has not been obtained a full, total, and all-comprehensive assurance, that no case of exception, on any pretence or for any reason, does or can exist,—just so long is every man, who has the sense to see a danger before it strikes against his nose, bound to make common cause with the forlorn hope of the persecuted, whoever they may be. If it is safe to doubt the divine procession of bishops,—if a man who hesitates upon that point can lie quietly in bed without being roused by a dragoon,—it is only because a certain progress has been made in declaring that religious opinion in general shall be free; and in exact proportion to that progress, is the safety of the slumbering mis-believer in the first degree. If he is safe at all, it is only because somebody has gone and bivouacked beyond him. It matters not what difference of garb, or food, or faith, may separate the clans that meet for the settling of the great contest. It matters not how little one ally may love another *quoad* his own private use and edification. But there is a great fight to fight; and the man must be a fool or an idiot, who will quarrel with the cut of his neighbour's beard, when the question is whether men's thoughts shall be safe, or whether society shall be one great border fray, where *he* shall eat whom strength and a long sword enable to cater for himself. A government that has been foolish enough to decline doing justice to a portion of its subjects *because they were few*, must be shown that the interested are *not few*. It is not the question of the twenty-seven thousand, but of the fourteen millions; and in a less especial manner of the whole twenty-two millions besides. A compact must be made against such a principle, like what exists against other forms of evil; and if John Nokes is injured, proceedings must lie, not in the name of John Nokes, but of the commonwealth.

But what is to be done with a writer, who condescends to stir popular prejudice against vaccination because it is *beastly*. Roast beef is beastly; the only excuse for eating it, is that it is salutary

or pleasant. To escape dying of the small-pox is salutary; to escape being made a fright of, is pleasant;—why then is one use of cow's flesh less dignified than the other? But the instance is invaluable, as a specimen of reasoning. There is no use in quarrelling with it; the wisdom of our ancestors must have its advocates, as well as every thing else. But could not the author of the sermon have introduced a word for witches? He must have known of many, among the old women in his neighbourhood. A quotation from Hebrew writ might have been found to bear upon the point, with quite as much of application as the passage selected for his text. Judge Hale too, the witch-finder, would have been exceedingly *à propos* to the previous subject. The community of old women have cause of quarrel with the author, for neglecting so favourable an opportunity of serving the interests of his clients.

On the whole, the best way of expressing an opinion of the discreditable performance thus in mockery edited in the form of a sermon, will be by recommending the friends of religious freedom, and those most interested in the present question in particular, to circulate it in all directions; and if it encourages the author to sermonize again, it will be so much the better for the general cause. The minister whose melancholy duty it is to act as a drag-chain upon the progress of liberal ideas, and fight the dreary battles of a decayed and decaying cause, wanted only the misfortune of such a coalition. How strong must be the power of ambition, how delightful its gratification, which can carry men through so many exertions from which ordinary minds turn with apprehension or disgust!

It is agreeable to pass over to the other side of the case. When men are to be persecuted, it is desirable that they should be feeble, that they should be unable to speak for themselves, that they should have no means of calling on others for assistance,—that they should be, in short, as nearly as possible in the situation of those whom the author of the Register declares himself to have been in the habit of selecting to pelt. And by parity of reasoning, it is undesirable that they should be rich and well informed, and as able as other people to ask why the pelters should not be put into the stocks. It is very difficult to maintain the persecution of men who can write for themselves as ably as the author of the "Letters." It would be much safer attacking the little withered old gentleman from Aleppo, who brushes his rhubarb with his beard in the neighbourhood of the Mansion House. And yet this little old gentleman has the spirit of a gentleman; for it is but a few days since he was spoken to in his native language, and when money

was given him as compensation for detaining him, he drew from his box a modicum of purgation, and put it into the speaker's hand with Oriental grace, saying "*Karrim*" which being interpreted is "Do me the favour," as being unwilling to be outdone in an expression of good will. Why should the poor old man be pelted by the author of the Register? Or if it is to be so merely because the author of the Register does not like him,—why should not all who happen to dislike the author's speculations upon German dragoons, or any thing else, pelt *him?* It is happier for none than for the author, that the world at large has got beyond Register law, and Fleet Street divinity.

One point elucidated in these "Letters" is too curious to be omitted; as an instance of the folly to which bigotry will stoop, and the nonsense which is good enough to be uttered when somebody is to be oppressed. A statement was advanced by the member for Oxford, that some Jew, residing in this country, supplied Napoleon Buonaparte with a considerable sum of money during the late war. On this the author of the Letters comes to the following conclusion.

'After taking some trouble to enquire into the grounds of the Hon. Baronet's assertion, I have arrived at the conclusion that it must be founded on the case of Mr. Alexander Lindo, a French Jew, resident in Jamaica, who took bills of exchange, drawn upon the French treasury, of General Le Clair, to the amount of £200,000, during the *peace* of Amiens. This sum was recovered after the recommencement of the war; and I have no doubt the Hon. Baronet will acknowledge whether this be or not the circumstance to which he alluded.'

The only other of the inanities uttered by the opponents of the Jews on which it seems necessary to remark, is the hope expressed in some quarter, that the question would be set at rest. Was such a question ever set at rest?—except in one way. And is it conceivable that it really occurred to the mind of any individual, that the contest was for any thing but *time*; or the effort was any thing but that of a virtually beaten party, to put off the period of submission to a future hour?

Some stress, too, appears to have been laid on the assertion, that all the members of the disabled sects are not strenuous in their demands. Attempts were made to lay upon the table of the House of Commons, *one* Jew who was willing to take half. But in this there would have been nothing wonderful, even if it had succeeded. In the case of any oppression upon classes of men, there are always some individuals in these very classes, who contrive to make a good thing for themselves *out of* the oppression. The leading teachers, for example, in

the case of a religious sect, are always exposed to the suggestion, that their individual importance depends upon the maintenance of the separation. And though this may not always go the length of bringing them into active opposition, it always forms a counterpoise to a certain extent. Sometimes also, where the habits of the separated party have been long formed to their circumstances, certain conveniences may arise, which in their actual state of feeling will go far to balance their dislike to the exclusions. The quakers for instance, may feel it very comfortable in many cases to be sheltered behind their inability to swear. But here the question occurs, of why the rest of the community should be subjected to the counter inconvenience proceeding from their exemption. Why, for instance, should not the difficulty be got over, by removing the noxious and truth-destroying practice of oath-taking, and at once securing the religious sanction where it exists, and the worldly one whether it exists or not, by attaching the present penalties of perjury, to an engagement by the speaker to speak the truth, the whole truth &c., "as he shall now and "hereafter answer for the same." So small is the practical difficulty arising from the differences among sects, that it would be hazarding very little to say, that a committee of thoroughly honest men might in a week lay down such arrangements, as should make the Episcopalian lie down with the lambs of the flock of Joanna Southcote, and the Quaker unite with the Jumper, if not in jumping, in performing all the offices that can with propriety be required by law of an active citizen.

ART. XV.—1. *Rhymes on Art; or, the Remonstrance of a Painter.* By Martin Archer Shee, esq., R.A. Third Edition. 1809.

2.—*Elements of Art; a Poem, in Six Cantos, &c. &c.* By Martin Archer Shee, R.A. 1809.

3.—*A Letter to the President and Directors of the British Institution; containing the outline of a Plan for the encouragement of Historical Painting.* By Martin Archer Shee. 1809.

THE election of Mr. Shee to be President of the Academy has led the world to some inquiries as to the basis on which his reputation rests. It is nearly five and twenty years since the works at the head of this article were published; they may therefore plead usage, and claim to be exempt from criticism; but the changed position of their author fairly brings them again before the world, and gives them an interest which they had not

tolerance; like a sturdy beggar it first thrusts its imbecility into the face of the public to awaken compassion, but if you do not give, uses its crutch as a means of extortion; kind and courteous are changed into ignorant and illiberal, we are abused as a people that have no "sensibility to the impressions of taste;" "Goths," the great majority of whom "are not sufficiently refined to feel the beauty of art;" the best of us, with few exceptions, having neither "real taste nor sensibility;" then why appeal to us? but even those who delight in art and have expended vast sums in obtaining what is most excellent in it, are treated with scorn and ridicule, as affecting what they do not feel, and the proof is, that they buy old pictures, instead of modern ones, and think Raffaele greater than a Royal Academician, "as more eclat was to be obtained, by collecting the pictures of other times and other countries, than by patronizing the painters of our own, the vanity of taste triumphed over the virtue of patriotism;"—why, be it so, old pictures are better than old china; better than hounds, or hunting, or horse-racing, or gambling; there was improvement here; to feel, or affect to feel, for art, was something; the mere vain pretension to such taste pre-supposes an increased reverence and respect for art somewhere; but Mr. Shee should learn, that the formation of such galleries is not evidence of a pretence at all, but of real deep feeling for art; the popular painters of the day may be prodigies among the idlers and talkers on art; the academicians may be great men among the students; but, without reference to who or what they really are, it is not very presumptuous to say they are not equal to all the talent of all preceding ages, which in such collections is assembled together. When we look on Lord Stafford's Titians we have an assurance of their excellence, the testimony of ages, that we cannot have of any modern picture; and if we are to judge of motives by acts and consequences, such collections are made in the very spirit and soul of patriotism, and the establishment of such galleries, with the liberal and just use that is permitted of them to students and to the public, have done more to awaken men's minds, to direct their judgments, to benefit art, than all the pictures of all the academicians since the foundation of the Academy.

There are, however, exceptions in this sweeping censure; a few considerate, reverend and respected old gentlemen have been, it appears "appointed by Taste as guardians to the minority of genius, to cherish infant merit to maturity, and foster feebleness to strength;" and these are the real patrons of art! After this, who can object to be registered among "the Goths;" we have no notion of this dry-nursing of genius; to

cherish "infant merit," we might subscribe a few coppers and go on self-satisfied and comfortable; but we laugh outright when we are asked to "foster feebleness."

It is in these vague generalities, these figures, and jingle of words that the question about patronage is always discussed; it is held to be the sure sign of barbarism, to reason upon a question that is much easier, and much more eloquently settled with a little declamation. If you ridicule their idea of this noble game of hustlecap, this flinging about the public money, that it may be scrambled for by R. A's, and the meritorious infants, the A. R. A.'s, if you resist these eleemosynary claims for art, if you treat the idea of patronage with scorn, they cease to petition for art, and rest on the claims of the artist; they put it to you as a question of humanity, and wind up the discussion with a round assertion, which few men dare contradict in the intercourses of private life, that the artist must live, and cannot live without patronage. Critics are allowed to be strong hearted, and therefore, it will not startle people, if we avow at once, to clear away any obstruction from the future argument, that this necessity is not made out; as men they must, and the argument is answered by the fact, that they do, live; but while there are so many ingenious handicraft trades, the necessity of their living as artists is not so obvious, it would be infinitely better for themselves, and for others that they should not; the assumption we have met at once openly and honestly, for it is a powerful and Protean weapon, with which our adversaries contrive to cut and thrust, and commit all varieties of offences; it is the sure apology for all that needs one; and, though only applicable to paupers and poor-rates, it is made by men who keep horses, and carriages and livery servants, and in an age when artists die worth a hundred thousand pounds; it is the conclusive reason and we here allow its force, why Sir Thomas Lawrence painted portraits and Chantry chiseled busts; but it is no apology for the one painting nothing but portraits, and the other leaving his Satan untouched, notwithstanding the commission.

But not to go the length of asserting that modern art is a base, servile, huckstering, trading affair, because there are many high-spirited men among artists, and it is not right to think so ill of any as to take their own report of themselves; artists have some apology for their idle talk on this subject, in the idle talk of others; but Mr. Shee is not to be admired, who enters with a grand flourish of trumpets, and the assurance that the most distinguished members of the profession would be content to live poor, if they could but live respected. This is doubtful,

indeed, and facts would probably disprove it; and the virtue or the wisdom of it, even if it be true, are not very obvious. There is no reason why artists should live poor if wealth flows in legitimately upon them; every reason why they should not sacrifice art in the pursuit of wealth, a widely different case. Mr. Shee however seems to have had some misgivings, for he qualifies this by an after-statement that "artists know and feel, that their estimation in society depends not on the merit they display, but the money which it procures; and, after the fate of Barry, a second enthusiast will not readily be found to devote himself to poverty, and the contempt which it breeds." This estimate of wealth is true, using the word "society" in its most comprehensive sense, as including all people, for with them wealth must always be the great object of ambition, and the advantages of possession such as to induce men to pursue it; but it has hitherto been the high privilege of art and literature not to be so valued; and nations would sink into sensuality and moral degradation, but that art and literature, purified from all such worldliness, raise, ennoble, and enlarge the mind, and dignify ambition. This was the old ground of the high reverence of art, and if it be not now reverenced, let artists thank themselves; there are too many who wallow in the slough, instead of lending others a helping hand out of it; worshippers of Mammon themselves, who go groveling and poring on the dark pavement of the temple, when they should raise their eyes to nature, and truth, and beauty, and bring all their offerings with willing and trustful hearts to the shrine of hope and immortal fame.

But why does an artist use the word "society" in this large and loose manner, including in it, "the great vulgar and the small"—What influence have or ought such opinions to have? of old, genius was content "fit audience to find, though few," and is it now to humble itself before ignorance and folly; is it to take its lessons from, or to give them to the age? This is the answer; Mr. Shee speaks in the spirit of other and inferior men, it is the language of modern art and too many are they who with a vulgar mind and imperfect education have given a certain time, at a certain cost, to a certain trade, which they follow as other tradesmen do, first for a livelihood and then for a fortune; an artist may be, and he frequently is, one of the least intellectual and least informed men in company; authorities might be found for all this from Mr. Shee's own scattered admissions. Such a man may rise to more or less eminence, make a large or a small fortune dependent on his manners, connexion and manual dexterity; but among informed

men he would be valued at his worth, and what is more to the purpose, however great his success, at nothing more; they would not measure his intellect by his commissions or his prices; and still less would they permit "the base mechanical" to enrol his name on the same scroll, and share in those honours which ages have paid with such willing hearts, and bowed minds, to Da Vinci, to Raffaele, to Michael Angelo, men whose knowledge was all but universal and whose genius all but divine. "Fit audience" for such a man is not, as of old, the master-spirits of the age; he cannot endure the searching test of their superior minds; he must herd with the commonalty; and with the natural ambition of little minds he makes his art a stepping-stone from the humbler class in which he was born, to the higher and possibly the highest; he emulates them in expense and profusion; you may know him among a hundred by his babbling of lords and ladies, and titles, and accidental distinctions, and all the fashionable nothings that pass current among such people. He persuades himself that he has risen above the old associates of art, when he has sunk far, far below them. He felt his inferiority, and got rid of the annoyance by getting out of their society. To such a man society must include all, and the most vulgar measure of character be his standard; and it is by such only that art is valued and estimated by the money it procures. Mr. Shee should have known this; for it may readily be admitted, there are many honourable men among artists to whom this description cannot apply, it appears not to Mr. Shee himself, neither is Barry a case in point. Barry was not despised because he was poor, but avoided because he was mad. While his society could be endured he was the beloved of the Burkes, the friend of Burney, Nollekens and many other artists and intelligent men; and even in more melancholy times, when his house was little other than a den, and himself a wild beast, the account given of him by Mr. Cunningham is furnished by Dr. Southey. We indeed can hardly hope for such another generous, heroical, self-devoted worshipper as Barry, and his memory will live, independently of his great merit as a painter, treasured in the heart of young ambition, a noble example of the self-dependence of art, and the utter nothingness of patronage.

If art is ever to rise to its old eminence, it must assoil itself of these vulgar opinions. If the artist is to be wealthy, it must be the accident of his fame, and not the object of his ambition; riches may pour in upon him for art's sake, and from the love of art in others, but must not be sought for, and still less sought for with fawning, and flattery, and court-servility, and base sub-

serviency to patrons, whether royal, noble, or wealthy. The artist must assume a high intellectual rank, and be indifferent to all other things; he must stand proudly on the pedestal of art and intelligence, the associate of wisdom and virtue, and see art reverenced in him as the magician at whose touch it is made visibly manifest; he must be assured, that art lives not in the self-seeking of the artist and the fostering of the few, but in the self-devotion of the one, and the knowledge of the many; in the noble emulation of free spirits, and the just commendation of informed minds.

The only patronage, that can develope the latent powers of art, and be worth one farthing to it, to artists is another thing, must be founded on knowledge—Mr. Shee says the same thing incidentally, and the common sense of all men will confirm it. The best therefore for art is, to inform the public mind, awaken public feeling, make men sensible of what is great in art, and of the greatness of art itself; and then public judgment will nourish and excite genius, and direct patronage; for patrons of art are not necessarily judges of art; they purchase a picture or a statue, as they buy a watch or a *buhl* cabinet, and the preference is dependent on the opinion of others. Hence it was that art rose and grew great in the free states of Greece, the free cities of Italy, the half-free states of the Netherlands. Art dependent on patronage is dependent on favour, and fluctuates with the opinions of the patrons; art itself is dependent on principles which are inimitable; the one seeks to have, the other to merit; the one desires present profit, the other permanent fame. Patronage is more consequent on the temper and the pliancy, than on the genius, of the artist; it confers favours, and the less merit the greater favour; it is ostentation in the one, and servility in the other, there is no community of feeling. Genius would rarely benefit by patronage, for it demands homage; it is borne up by self-respect, not lifted up by another. Who patronized Wilkie in "the minority of genius," when he eat his hasty meal in the back settlements of Slaughter's Coffee House? Who "fostered the feebleness" of Martin? two of the most original men of the age. In what patron's lap was Chantry nursed and dry-nursed? Is it not notorious that these and others, Turner, Stanfield, Mulready, fought their way single-handed and self-dependent into fame and reputation.

Mr. Shee says, it was patronage that raised art to excellence in Greece and revived it in Italy. It was no such thing, as will be proved, and it is nothing to the purpose if it were; for he himself tells us even "were there a disposition to exercise the same species of patronage, it is to be feared there is some-

thing in the nature of the times, as well as the taste of the country, which would prevent its operating so powerfully as might be expected from its effects in former instances. There is reason to apprehend, in the choice of the artists to be employed that interest might have more influence than taste, and that bustling intrigue might supersede the pretensions of merit. Those who would be most competent to the occasion, would probably be least formed to solicit it; and we know by experience that activity and influence are more than a match for desert." Mr. Shee is in error again. If patronage had had any thing to do with art either in Greece or Italy, it would have been subject to all the influences which he admits would make it nugatory or pernicious in England; the real objection is not in "the nature of the times," but the nature of man.

Patronage, that is, pecuniary stimulus, the real meaning of the word, might produce a manufactory of art, and give to artists the expertness and facility of manufacturers; it is just possible it might make men draw like Raphael, and colour like Titian, but it could do no more; and what are these but the means by which the master minds of these men were made manifest? How would it facilitate the production of a Paul at Athens or a Peter Martyr? it could not, and this is a subject for rejoicing; for if otherwise, then art is not the high and intellectual thing we have been accustomed to reverence and worship. Patronage of art! Why not patronize poetry? it has indeed been the fashion more than once, and what was the result? a Shakespeare or a Milton? no, Stephen Duck and Mrs. Yearsley; and who were they? ask Queen Anne and Hannah Moore, they patronized them, and not we. But was not Burns patronized? Aye, truly; but it was nature made him a poet, patronage made him an exciseman.

Public patronage, however, comes backed with the sanction and authority of Mr. Hope, and Mr. Hope is deserving attention; what says he? "In a country in which the arts are not yet become a subject of study as profound as general, historical painting will never flourish to any considerable extent," and this is true, and may be carried farther. Art is dependent on knowledge "profound as general," of the people; it is impossible therefore it can be thrust prematurely forward by premiums, like green gooseberries or peas in February. But Mr. Hope imagines that it may, for he says, "As in this state the patronage of individuals is not sufficient, art can only thrive through the encouragement of the nation as a body, or the liberality of the sovereign." Why, is not the sovereign an individual, and is not the nation as a body composed of individuals? Sovereign and

nation are no longer the mere abstractions the law supposes them, when considered as active agents. If individuals know nothing and care nothing for art, what can the state or nation know or care? Mr. Shee, it is true, is not responsible for Mr. Hope's *non sequiturs;* but unfortunately what the one intimates the other proclaims. Mr. Shee avows every where his contempt for *dilettanti* judgments, and really it would be difficult to find any other out of the pale of the Academy, from the critics of the present hour, upwards through Winkelman to Pliny; and then appeals from them to the nation, and asks for public patronage, that is, a vote of the public money. Mr. Hope leaves us to guess at the character of his "nation;" Mr. Shee saves us the trouble; for it will hardly be denied that the following persons have some voice in distributing the public wealth; if they be not "the nation" they are very like it.—"An ignorance of the most obvious principles of taste is indeed considered to be no impeachment of polite education. The minister at the helm, the judge from the bench, and the Senator in debate, have been known to avow without a blush, their deficiency on this subject. The scholar, too, scarcely knows that such men as Raphael and Rubens have existed;" and these are the men by whom art is to be beneficially patronized! They are, and they are, as good as any other. Mr. Shee cares little for the knowledge of his patrons; it is enough that the money is given; leave the rest to the artist; and illustrating one art by another, he says, "place the artist on an elevated stage, and he will act with dignity and effect." Nay! nay! he will play to the taste of the audience; if "he that cries out at the top of the question is clapt for 't," out he will cry; he will set on the spectators to laugh though they be barren, and Shakspeare held the proportion of the latter to be a whole theatre to one. What was held by Hamlet and "those of judgment, an excellent play," was played but once, because "'twas caviare to the million."

But, with deference to Mr. Shee, the experiment has been made. Look to sculpture. Vast sums of money have been expended in raising public monuments; now is there one solitary statue in all the mass of marble that disfigures St. Paul's or Westminster Abbey, to which we can refer with pleasure, or take a foreigner with pride? It is our belief that the best patrons of sculpture in England are the little Italian boys that sell you an Apollo for sixpence, a Venus for a shilling, an Antinous for two. It is the reduplication of perfect works that can alone inform the mind, and awaken right feeling; and this the ancients were accustomed to do, for their finest statues

were often repeated. If those in authority would do more for sculpture than these Italian boys, they should give leave, (it would be better than giving thousands,) to some cheap plaster-figure maker to take casts of all the statues in the Museum; we should then have these things within reach of the lovers of art, quite a distinct class from the patrons, and the lovers of art would have something to refer to in conversation; fine specimens would be found in our homes; art would become interwoven with our feelings; the passion would spread of itself, for it is founded on truth; vanity would soon substitute marble for plaster; bodies of men would soon feel what individuals feel now; and patronage, if the word is to be used, would be beneficial to art, because it would be consequent upon, and not precede knowledge. Is there one public body in the kingdom that has ever shewn a reverence for art? it has been used by many as a means to do honour to a mayor, or a borough patron; but as art it is neglected, because, as art, it is unknown. And can it be otherwise, when the minds of artists are as narrow and confined as the minds of others. Art is, by them, talked of as a mystery, which the uninitiated cannot fathom; and their own works, as a species of *bijouterie*, a luxury for the rich only; one has a picture engraved, and, to enhance the price, the plates are destroyed; another, a model in little, of an exquisite piece of sculpture; three, or even four guineas are offered for what the Italian boys would give us for sixpence, but are too late, only twenty copies were permitted, and they are subscribed for. Why, it should have been the glory of the sculptor that twenty thousand copies were sold! Who would have bought that did not admire, and what homage to genius in this general admiration! but as much money was made by the twenty as the twenty thousand; what then; is fame nothing? Then is art nothing, and let us be no more pestered about it.

But justice to Mr. Shee requires a few more details. He not merely asks for public patronage, but very fairly points out how it may be most beneficially administered; and that is, by "the institution of prizes and public honours;" then comes his assurance, that this had great influence of old—much of the superior energy of the Greeks "may be justly attributed to the judicious application of this key—as rewards held out to the ambition of their commanders, their poets, and their artists, prizes were in frequent use, and established reputation." It is strange that it never struck Mr. Shee that we have now commanders of some reputation, and poets of admitted fame; but to avoid disputes, and when a few half-pennies-worth of parsley, and the prunings of a sub-urban shrubbery, had a chance of rais-

ing the moral and intellectual power of the nation, we were inclined to give assent at once, and let Mr. Shee make the experiment; but he stops us in a moment, with the assurance that modern artists have none of the herbiferous taste of the Greeks, that parsley and laurel will not do now, that honour is not the current coin at the academy, and, therefore, a prize to be effective must be "fortune as well as fame." Then, why this reference to unlike circumstances, and unlike minds and feelings? why again this mention of Greece or Italy? because art was great in those countries, and it serves to put them in juxta-position with patronage. But does Mr. Shee believe, that he who sacrifices life and its enjoyments to leaving behind him a name that shall endure for ever and in honour; who, disregarding all temporary and vain triumphings, pursues his course right onwards, content to win solitary opinions, with the self-assurance and self-devotion of genius; who appeals from the high energies and moral grandeur of his own mind, to the sympathies of kindred spirits; has no better chance of success than a huckstering trader, to whom fame is nothing but as it is accompanied by fortune, who appeals only to the taste of a patron, and is content if he receives the reward of his servility?

But this is an interruption. Mr. Shee may proceed:

'The same sum,' he says, 'which expended in commissions, would be little more than sufficient, to remunerate, liberally, one artist, for a single production of importance, may be made to set in motion all the genius of the day, if offered as a national prize, conferred with striking solemnity, and accompanied with some flattering testimonials of public honor and estimation."

Well, then, passing deliberately to details, and supposing the substantial prize offered to be five thousand pounds; and, for the striking solemnity, it shall be presented by His Majesty. As all royal academicians are presumptively men of genius, we shall have all these, at least, contending for it. A work to be so rewarded must occupy much time in preparatory studies and in execution, say three years—now how would the case stand? Either these gentlemen must have private fortunes, which they have not, or they must paint portraits, or other marketable commodities, to enable them to live during the probationary term; and if by the sale of these unworthy things they could live, they could have painted the picture had the prize not been offered. And had they been earnest lovers of art and fame, they would have done it; and if they did it not, it is the five thousand pounds that alone stimulates them; and as one only out of the five-and-twenty can win it, the chance of the pecuniary reward is not worth the pecuniary sacrifice; the man of talent would

insure more money by devoting his whole time to the manufacture of the marketable commodity; and the contention, therefore, would be among those only who have little demand for their manufactures, yet just enough to enable them to live, and not ambition enough to devote even their idle time to art, for art's sake and the hope of fame. This is put in the language of modern art, and it cannot be denied that the deductions are just. However, we will presume some pictures painted, and then comes the judgment. To say nothing here of the bias of the judges; of the "reason there is to apprehend" that "interest might have more influence than taste, and that bustling intrigue might supersede the pretensions of merit," which is, however, just as certain to happen in the one case as the other; we will suppose the award given by some one perfectly impartial, His Majesty, if it be so pleased, under advice, as above all suspicion, and the question of preference to be between Mr. Shee himself and Mr. Wilkie; it might happen that the royal academicians would not sanction and approve the royal judgment, and then comes the exhibition of both or all, and the appeal to the general judgment of informed men; and on their decision would fame rest, and that is open to artists now.

But, Mr. Shee lays prodigious stress on the "striking solemnity," the public display on the occasion; he would have His Majesty, and all the Officers of State, the Lord Mayor, the heads of all great bodies, every nobleman and gentleman distinguished by a love of the Arts, to be present; he would have medals distributed, and all the prize pictures publicly crowned: this seems sadly, sadly, frivolous. It is not in agreement with the taste of the people, or even the age. One runs back to Louis XIV, and the Sittings of the Institute; to Voltaire, and the theatrical crowning; to Corinna and the Campidoglio; it would not only corrupt art, but man himself: it is bad enough at the Society of Arts, and the lesser academies for young gentlemen and ladies; but we seriously believe that to any Englishman of high feeling and sensibility, a "cold anti-enthusiastic man" as Mr. Shee would call him, it would be something worse than being hanged to win the prize, if he must be present on this occasion. The whole exhibition would be positively bad, but as encouragement to art, it would be mere laurel and parsley! It would not do. For sound wholesome praise and fame, in no age or country, did ever such flattering testimonials of public honour echo so loudly and widely as in this country, and at this day. Mr. Shee mentions, that Wilkie's fame was spread all over England, within a few days after the exhibition of his Village Politicians; twenty other instances

could be named, where artists have risen at once to celebrity, not equal indeed, but proportionate to their talents;—Mr. Martin's name has resounded from the frozen confines of Europe;—Chantry is known out of England as well as in it, although his works are only to be seen here;—Stothard, though wearing out a long life in drudgery for booksellers, has been cheered on his Pilgrimage, by the love and commendation of all intelligent men, and has won golden opinions, worth all the more current coin in the kingdom, to an artist of his fine, sensible, and well-regulated mind;—Eastlake, though comparatively a young man, has been borne triumphantly on the shoulders of public opinion into the academy itself;—even the small voice of a provincial town spiriting on the townsman, awakened expectations elsewhere, and Mr. Thom's clever stone-masonry is sunning itself hundreds of miles from his home. Would the public be more or less sensible of the classical delicacy of Howard, or think differently of Hilton, or Etty, or of Lough's designs, or Pickersgill's truth-loving, or Turner's magic pencil, or Prout's force, or Robson's mountain scenes, or Stanfield's sea views, from a little tricksey, trumpery, May-day figuring about the frames of their pictures?—the mourners for Sir Thomas Lawrence were not confined to the followers at his funeral, but were grieving at the same moment all over England;—the honour done to Mr. Shee in being chosen his successor, was trumpeted every where;—whether a man's fame "shall outlive his life half a year," depends on his merits; but fame enough he shall have in his life or after it, according to the judgment of the age, and against that we have no appeal, neither had Raffaele nor Michael Angelo.

But, for the historical authority, to begin with the beginning, the argument runs thus, that Phidias was a great sculptor because Pericles was a great patron; that the triumph of art was made manifest in Da Vinci, in Raffaele, and Michael Angelo, because the Medici were munificent and noble fellows, and so on;—the consequence, and to the Painter that is the great question, that patrons and patronage produce great artists. There is no truth in all this, and so far as the position has any applicable meaning, it may be shown that there was no necessary, certainly no consequent connection, between the parties, and that Phidias had just as much to do with developing the mind and virtue of Pericles, as Pericles with Phidias.

But if the contrary could be shown, how would it bear upon the question; it would be but another illustration after the manner of the laurel and the parsley, things opposite, instead of parallel. In England, the appeal is always to the "munificence of the Sovereign," the "liberality of the noblemen and gentle-

men," the people, the great body of intelligent and informed minds, are omitted altogether; whereas, at Athens, where the popular government had been restored before Pericles was born, the appeal, as in all republics, was to the people; and Pericles notoriously humoured this republican taste to the height, "fool'd them to their bent;" whatever else he might do, he deferred to them; if he lavished the public treasure upon art, it was to buy their opinions; it gave him the best chance of present popularity; and as he was really a great man, he was influenced, perhaps, by the fair claim it gave him to permanent fame. But the idea that it was a claim upon posterity was consequent upon the high reverence entertained for art by the people; it was not his peculiar opinion, but that of the informed mind of Athens; and Mr. Shee might consider that if art has made any advance in this country within the last fifty years, if we are, as perhaps we are, the first nation in art, it is not because George III or IV were more like Pericles than any other European sovereigns, but because the English people are more like the people of Athens. If we were required to name a single man as the great *patron* of that age, that is, the great benefactor of art, it should be Socrates. Socrates! we hear all the vulgar mechanicals exclaim, the son of a stone-mason, and an old midwife; a poor, mean, pitiful, pennyless fellow! aye, truly, but Socrates was the master-mind of the age: we know he had an influence on the sublime genius of Euripides, so we may believe that his divine philosophy would reach the sensitive soul of art; and he who sees nothing but the perfection of form, he who could not predict from the marbles of the Pantheon alone, if all other record had perished, that the Greeks were a race of heroes and philosophers, is blind to all their essential beauty.

But was Socrates himself, were Anaxagoras, and Thucydides; were Æschylus, Sophocles, Euripides, Herodotus, or Xenophon; were those great and glorious men, Aristides, and Cymon, and Miltiades, all that gallery of genius and virtue that illuminates that page of the history of Greece from Pindar to Plato, produced by Pericles and patronage? and if not, why not? why is Phidias to be the only crawling, base, dependent, servile creature among a race of such worthies, as no age of this subsequent world can rival? As to the state of art preceding, little is known about it; but of that little, as it is manifested in gems and medals, it has the impress of Greek beauty, though not perfect; and proof might be offered that art flourished in glory, and, in the opinion of the age, in equal perfection, in other than the Athenian States. But, admitting that Athens was its temple, and Phidias the high priest to whom its divinest mysteries were

unfolded—what then? He was known and distinguished all over Greece: if the jealous rivalries of the republic agreed in nothing else, they joined in admiration of that man; his statuary was the boast of their most celebrated temples, and his Olympian Jupiter the astonishment of all, *before* he was patronized by Pericles; what then had the patronage of Pericles to do with the development of his mind, and our admiration of those works, which, imperfect as they are, are unequalled, and must remain so till modern art shall have grown to the moral stature of ancient Greece?

It is fit to question the sincerity, or the judgment, of those whom we find abandoning argument for declamation, and running away for illustration and proof into remote ages, of which but little is known. We indeed, know something more of the private history of the middle ages, than of the age of Pericles; let us therefore look to Florence, and see how much the world is indebted to the Medici, and how much to the people. It was in that little trading republic art was cradled and nursed; Cimabue, the reviver of painting, was a Florentine; Giotto was his pupil; the Orgagna family, and Masaccio, the first of that line of great painters, Verrocchio, Ghirlandajo, Leonardo da Vinci, and Fra Bartolomeo, two of the greatest men that art can boast of, were all citizens there. It was there that sculpture was re-animated by Donatello; it was there that Brunelleschi raised the dome of the Cathedral that gave assurance to Michael Angelo, and excited his admiration, as did the bronze gates of the Baptistry by Ghiberti. These were citizens of the Republic. Greater men, it is true, followed after, and flourished under the Medici: what then? Is it to the husbandman that ploughs, and harrows, and sows the seed, or to the reaper that gathers in the harvest, that we are indebted for its produce? Mind, like all other things, is the consequence of something foregone; these men were the precursors of all that was greatest in art; it was the voice of the one that awakened young ambition in the other; it was the works of the one from which the others drew inspiration; it was the excellence of the one that bid the others hope for perfection; Verrocchio was the master of Perugino, Perugino of Raffaele; Ghirlandajo first taught Michael Angelo, and Leonardo first awakened his ambition, and the fame of these first brought young Raffaele to Florence. The glory that these names shed upon the Medici, is truly the far-reaching glory of the Republic. And be it remembered, that the Medici were themselves born under and nurtured by the Republic; that the power they possessed, to whatever end it tended, was at first but the arm of public con-

fidence; and the honour, however great, was the affectionate and willing offering of a free people. It was only in their height of *citizen* power that they patronized art to any effectual good; for the establishment of despotism and the Ducal tyranny was equally the end of art and liberty: it has not one great name to glorify it; and though it has maintained its iron grasp to the present hour, art has gradually sunk down to Bettolini, and Cammuchini, the great men now patronized.

But what, after all, did patronage for those great names of which it boasts? Why it set that miracle of men, Leonardo da Vinci, to dig canals, teach drawing, play the flute, and play the fool in getting up pageants. Few men were ever more patronized than Michael Angelo; how is it, then, that so few evidences remain of the labours of this most retired and indefatigable student, whose life stretched out to nearly a century? Ask Patronage if the best part of his life, and the whole reign of that magnificent patron Leo X, was not spent in the quarries of Pietra Santa, blasting marble and making roads? Ask Piero if he had not been before occupied in forming statues of snow to melt away in the *cortile* of the Medici Palace! Ask too if his famous cartoon of Pisa, painted for the Republic, as companion to the Battle of the Standard by Leonardo, and equally admired by the public in the Senatorial Hall, was not, on the return of these informed patrons, taken to their own palace, stowed away in a garret, and there left to be destroyed by neglect or envy, and where it perished even before the death of the painter? Ask Michael Angelo himself, who fought with such heroical and persevering courage against these "patrons" of his "sole idol?" Ask Raffaele if "the Cartoons" were not designs for tapestry? It is not enough to say that these cartoons are equally the glory and pride of art and England; so far as Leo was concerned they were the quarries of Pietra Santa; and were left, with an ignorance becoming a patron, in the hands of the embroiderer, and might have perished like the Cartoon of Pisa, but for accident.

As to Louis the XIVth, and Colbert, artists have all the apology for their opinions that the authority of historians can give. Voltaire speaks as if one or other had first called art into existence in France—"painting, sculpture, and architecture" he says "had made little progress before the age of Louis the XIVth." But the very next step he takes is a contradiction; for it will hardly be denied that Poussin is the greatest painter France has produced. He tells us "Painting began with Poussin under Louis the XIIIth." So far as the argument is concerned, the question stands thus—Vouet, who is considered

the founder of the French school, died while Louis the XIVth was in his swaddling clothes;—Le Sueur before Louis was twenty;—the Poussins, both Nicholas and Gaspard, when Louis was not more than five or six-and-twenty, and just escaped from the tutelage of Mazarine; Bourgognone, and Claude can hardly be connected with France or French Art, for they lived, studied, painted, and died abroad. But Le Brun, it is true, was patronized—why? because he was a great man; he did not become great by patronage. If this be doubted, refer to dates and facts. Le Brun's genius was so early developed that he was the pupil of Vouet at eleven years of age; his professional education was perfected by many years residence at Rome; and if his progress in art was at all equal to the early development of his taste, he had been some time resident there before Louis *was born*; Le Brun therefore was five-and-forty or fifty before he could have received a single commission from Louis;—and who is there in France, after Le Brun, that deserves mention as a really great man in art? "We have had many pleasing painters" says Voltaire, "since that age, but none that can come near Poussin, Le Sueur, or Le Brun." Most true,—and having shewn that patronage had no connection with either of these great men, we leave it all "the pleasing painters" the "thirty and upwards" of whom he says, France can since boast; men, with the exception of Watteau and one or two others, hardly remembered even by name.

The Poussins, Le Sueur, and Le Brun, sprung, as did Colbert, Conde, Turenne, Corneille, Racine, Molière, La Fontaine, and all the other great men that shed such lustre on the ostentatious reign of Louis, from the sound energies and awakened mind of the people; they were a consequence of the same cause that had before operated so powerfully in Italy, and which, before or after, as it found aid or opposition, was felt in every other country of Europe; which discovered printing, and the compass, and the telescope; which emancipated philosophy, and unveiled the mysteries of Heaven and earth; circumnavigated Africa, penetrated the vast obscurity of the Atlantic; startled the old world from its benumbed quiet, and called new worlds into existence; shook the beldame Superstition from her blood-stained throne of ages, and set up Truth and Good for man's only worship; which produced the revolution in Sweden, separated Holland from Spain, caused the civil wars of Italy, Germany, France, and England; manifested itself every where; was what we are accustomed to call the Reformation, a universal war of opinions, which whatever else it might do, stirred up the stagnant waters of knowledge, awakened mind from its long sleep

and taught and forced men to think; it was felt, beneficially, as well in those countries which maintained the old, as in those that established the new religion. A mighty and before unimagined power then strode visibly over the earth; it appeared in different countries, at different times and under widely different circumstances, and its first awakening efforts were directed by accident; but whether it came "armed in complete steel," or "discoursing of divine philosophy," whether the contention was of thews and sinews, or of words, in civil wars or polemical and philosophical disputes, it was only where it had fought its battles against superstition, ignorance, and tyranny, and won liberty, and happiness for the people, that it could put on its robes of gentleness and beauty—it was then art rose; and when wealth came as consequent on liberty, then art flourished, then art triumphed. The establishment of despotism under the Medici and of absolute monarchy under Louis the XIVth was the end of art—it was then indeed patronized—schools and academies were established, artists were applauded and ennobled, but the race and generation of great men had passed from the earth. So much for Pericles and the Medici and Louis the XIVth!

We may now be told of other patrons, and referred to other ages; but we did not select these. There have been other patrons. Francis the 1st was one, in the largest and best sense of the word; a man who loved art; who drew to his court the most eminent men of all countries; and in whose arms, as in the bosom of affectionate friendship, Da Vinci breathed his last; no patronage was ever more judicious, or more extensive and liberal than his; but it was not successful, because Francis preceded the age; the direction of the public mind, if a public mind then and there existed, was not towards art; it was an exotic; a thing of patronage; a taste and refinement of the court, and not a feeling of the people. Our Henry the VIIIth, too was another, and a right-royal patron! he bid for Raffaele, and Titian, and bought Holbein; and employed him, as we learn from Walpole, in furnishing "designs for weapons, hilts, ornaments, scabbards, sheaths, sword-belts, buttons, and hooks, girdles, hat-bands, and clasps for shoes, knives, forks, and salt-cellars." Oh, brave patron of painters! but how is it, if patronage be so influential, that Papal Rome, the high seat of patronage, has not produced one really eminent painter? Painters talk of the Roman school, and we know what they mean, and the description may serve as well as a better; but when they proceed, as Mr. Shee does, to argue on this, and to talk of "the preeminent claims of the Roman school, *in which the Florentine may be*

included," we ask by what perversion of reasoning it is, that the Florentine school, the most eminent the world has known, may be merged in a school that has no existence ? because the patrons were at Rome; but art was great and glorious, only where the patrons were not.

We may be reminded too of the wealth accumulated by Greek, Italian, and Flemish Artists, but these were isolated men; and we could, if it were to the purpose, tell of Greek, Italian, and Flemish Artists who lived in poverty and died in beggary. A great flourish is often made of the wealth and patronage of Rubens—but, he was the great painter at Antwerp, before he was patronized either at Paris or London; and what did patronage for art, not for the artist? set him to paint a series of the triumphs of Henry the IVth, stuck full of stupid faces in the one country, and the apotheosis of that pragmatical stuffed pedant James the 1st in the other. And we must repeat here, that notwithstanding the outcry about patronage, we have heard of English painters, who have spent their six or eight thousand a year, and of others who have died worth a hundred thousand pounds.

There are patrons however of whom we had not heard, for "First in Rank" says Colt Hoare "stands our beloved and venerable Sovereign George the Third. How pleasing a testimony will it bear of his benevolent and polished mind, that at a time when the Arts of Design in England were languishing in the extreme, for want of sustenance to the artists; when they poured forth their complaints unheard in every other quarter, the heart of the Sovereign was moved with compassion! He received the supplicants into his paternal care, and extended to them the solacing assurance of needful assistance! The Royal Academy rose under his auspices."—If one word has escaped us in this article that can be construed into offence against art, which we love, or artists, whom we sincerely respect, it may be excused from the disgust we feel when we hear their cause thus advocated. Who could doubt after this, that the establishment of the Royal Academy was the spontaneous suggestion of his late Majesty, and that the first budding of art, in this country, was consequent on that establishment? The fact is known and notorious that his Majesty followed and did not lead public opinion; that the Academy itself was an offset from, a mere opposition to, another and older associated body of artists, and that, on the cunning policy of rivalry, they solicited and received, though not without hesitation, his Majesty's countenance. It was in like deference to public opinion that he appointed Sir Joshua his portrait-painter, reserving all his commissions

without one solitary exception, for his own private judgment, and manifesting that judgment by giving the preference to Ramsey. As to the fact that till after the establishment of the Academy, the arts were languishing in the extreme, and all the other maudlin drivel in the passage, hear what Mr. Shee says—" it must be acknowledged that our greatest painters have not been the fruit of this tree; Reynolds, West, Barry, Hogarth, Wilson, Gainsborough, were ripe in fame and merit, before it was planted among us"—has the Academy done more, has it done so much, as supply the place of these men? And what is true of this is equally true of all like establishments—and we were about to prove this and to apply it, but the proof is offered by Mr. Shee, and after what we have written the application may be made by the reader, " if we look abroad to the old masters, we find the most eminent amongst them were those who flourished antecedent to such establishments."

We now take leave of this subject in the words of one whose sincerity, whose love, and whose knowledge of art, admit of no question, and whose testimony must be above suspicion;* who ridiculed " the absurdity, not to say mean adulation, of magnifying its accidental casual connection with patronage, into something staminal and essential to its growth, and perfection. No, no, base time-servers! it may answer your sinister views to say so, but nothing can be more irreconcileable with fact; art appeared in Greece and Italy with so much splendour, only because the public of Greece and Italy had the feeling, wisdom, and love of virtue, to discover the peculiar extension and facility of its application to purposes the most interesting and valuable—In fashionable language, this mass of employment, this commerce of mutual considerations and advantages has been called patronage; a term the most impertinent and ill-applied, as is abundantly evident in the history of the art, where unhappily we too often find its vigour and growth stunted and liable to blight when the great and their patronage come unluckily to interfere and tamper with it."

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* Barry.

ART. XVI.—*Causes and Cure of the present Distress.* Ridgway. 1830.

WHEN some people protest there is a distress, and others that there is not a distress, the natural solution of the difficulty is, that some are distressed and others are in no distress at all. And it seems to be capable of proof, that such a distress as this, is all that this distressful world is capable of. To demand that before the existence of distress was admitted, it should be proved that the king upon the throne was suffering extremity for want of nourishing food, or an archbishop was confined to his room by the consequences of a long course of oatmeal-porridge, would be manifestly outrageous and absurd. And by parity of reasoning, dukes, earls, viscounts, and so on to any extent down the ladder of honour in the Red Book, may by possibility be in no state of suffering, and still there may be "a distress" in the only sense in which in the nature of things it can exist. To demand therefore that a distress shall be universal, is like demanding that there shall be held to be no plague unless every body has died of it. And to doubt or demur as to the existence of the evil upon such a ground, would be as unreasonable in one case as in the other.

Next to the plea of the *non-universality* of the distress, comes the plea of its being *temporary;* founded on the fact that a distress, like an ague, has its periods of intermission and exacerbation. The mere connection of human affairs with the seasons of the year, with seed-time and harvest, with fair weather and foul, with passable roads and impassable, with fine working weather and weather when no man can work, is enough to establish a variation in the feeling of distress, a *frying-pan* and *fire* kind of difference, which may be easily represented by the interested, as a reason for postponing or omitting the consideration of the mischief. As has been stated, most probably with accurate knowledge of the fact, by Mr. Sadler,—it is as impossible that the return of spring should not bring with it a degree of comparative relief, as that it should not produce a single bud or blade of grass. By the time, therefore, that the present article has a chance of being before the public, the cry will very probably have been raised, that the distress is over. If so, all that can be said is, that it will be ready for the next. '*Long live the Sultan Mahmoud,*' said the marrying owl, '*for there will be no want of ruined villages.*' If our rural Sultans continue in their present mind, there will be no fear of wanting a distress to write about. Whether they *will* continue in that mind, is not so certain; for they, like other men, are held to be able to take

their fingers out of the fire when they feel that they are burnt. The only hope is, that they may make the discovery and act upon it, before their neighbours digits are roasted to a cinder.

One way of knowing whether there is a distress, is to find out whether proper steps are taken for making one. Suppose then, that the country, by conquest or otherwise, had fallen into the hands of rulers possessed of irresistible power, who for the gratification of political jealousy or some unassigned motive, were bent on raising up the greatest practicable quantity of distress within the limits of their dominion. And do not let it be supposed, that they are vulgar mischief-makers, whose ideas of evil are limited to brute and mechanical violence; but people of some cunning in their vocation, able to foresee the dangers connected with making themselves the direct distributors of suffering, and to calculate the vast advantage of persuading one man to inflict it on another.

Suppose then such rulers, acting by the instigation of the devil, as the lawyers say who know,—or any other instigation that may suit; and ask whether a committee in Pandemonium could favour them with a better recipe than this:—

Sell A and his fellow-craftsmen a monopoly of some specified thing in which they deal; with an understanding, that all *they* gain, will be taken from somebody else *twice*, first by the taking an equal quantity of custom from some other trader, and secondly by taking from the consumer the difference between the dear article and the cheap. But *sell*, not *give* it; and let the price paid, be an engagement to support the government as being the fountain of the good. As the thing sold must have a name, call it *protection*. Do the same to B, C, D, and all the trades and letters in the alphabet; in fact keep open shop, where every man may buy a portion of the public loss, whose adherence is worth having. Let every body gain from every body; with an understanding that the losses of the latter *every body*, shall in each particular case be double the profits of the first. And let all this be done with pure paternal kindness; demanding at the same time filial respect and gratitude, for the favours on all conferred. Use every body as Izaak Walton does his frog,—'as though you loved him.' See that there be none in the land, to whom this claim for gratitude does not extend. Let every man have his share in the obligation; let there be no individual that has not the same cause for thankfulness, that his lot is cast under a government of so much benevolence and equal-handedness.

To be particular,—for blessings in the heap are undervalued,—let the grace and favour be in a peculiar manner applied to

bread. It is the staff of life; it is what all human beings are equally concerned in; spare, then, no pains, that as regards this, the system may be complete. If your machine turns upon any thing like a *representation* principle, let it be settled that none shall be your representatives that do not deal in corn. The effect will be found prodigious, in producing the security desired. It is not matter of theory, but practice, that nothing binds a representative to a given course, like dealing in the thing on which he is to legislate. Make all your representatives corn-dealers; it is the sure way to make them know how to legislate on corn. In these ways you may do much; but it is possible to do more, and a great genius never thinks any thing done, as long as there is any thing left to do.

Be clear upon taxation. Blunders on this head have been the cause of much unintentional diminution of evil, and the loss of much power for inflicting more. It is a perplexed subject; and if *you* are clear upon it, you may be quite sure your opponents will not, which is an advantage. Taxation is, or ought to be, in the main, the taking money from the people for your own use. It is therefore one of the pleasantest ways of causing a distress; but it requires to be well managed. There are three sorts of persons on whom the effects must be calculated, besides the enjoyer. First there are those out of whose pockets the tax is finally paid. That, you will say, is simple. Next, there are the operatives, or those who live by the demand for labour. And here you are to be aware,—though there is no use in saying much about it, and indeed you would not persuade many of the fact if you were to try,—that this is a class from which it is almost impossible to get money by taxation. You may gain from them during the period that intervenes between laying a tax, and their being able to recover the amount in wages from their employers; and there may even be a portion which they never recover, and which will consequently be gained from themselves. But by far the greatest part of the tax will be ultimately taken from their employers. You may therefore get up a portion of distress among the working classes in this way; but not so large a portion as might be supposed. And you must recollect that the employers, the people who have wherewith to pay, are your milch cows, and must not be pressed too hard. You will ever bear in mind, that your object is not to destroy people, but to keep up a distress. Another use too, which may be made of your knowledge upon this point, is that if you happen at any time to be particularly hard pushed, you may throw a few taxes to the operatives; on beer for instance,—they are fond of beer. The operatives will be as glad

of this, as if it was all given to them; but *you* will remember, that with the exception of a small portion which they pocket while the masters are bringing down their wages, the real *bonus* is to the masters, and to the growers of the stuff that beer is made of; who are a set much more able to be grateful than the other, and will be grateful to you accordingly. You will see how useful this may be made, if ever you should be in the situation of the monkey who is obliged to drop first one part of his load and then another, for the sake of escaping with what may finally be left.

But this is comparatively child's play. You are to remember that the great effects, the results in a broad style, are not to be produced by the pimping process of what can be taken from a man directly; but that the point of art, is so to lay your tax, that for every shilling taken directly, twenty shall be lost by the consequences. *Voilà le sublime du métier.* The first kind is a bare taking, which every novice is capable of; but this marks the artist, and leads the successful practitioner to distinction in his line. Note also, that in this way you get at that slippery class which evaded you before. You may in fact screw them to almost any extent you like. There is positively no limit to it, so long as there is a fragment of foreign trade which it is possible to cut off for the benefit of somebody at home; and the best of all is, that the operatives will never find you out. On the contrary, you may have any of them at your back you please, by talking to them of the protection you afford their own particular trade. They will be your best friends, your staunchest allies; only you must try to keep them in good humour about corn. They have all such a habit of using corn, that they are apt to forget that if they are to have their own particular monopoly, the corn growers must have theirs. But they will be accessible to reason on this head. 'Live and let 'live,'—'What is sauce for the goose is sauce for the gander,'—'Beautifully compact system of government,'—'Up corn, up 'horn,'—'Land and trade must wax and wane together,'—and similar collections from the wisdom of antiquity, will be enough to keep them in the right road. But never forget that the protection of the land-owners is the principal point; because it is the most difficult. Every inch you lose in any other quarter, is always felt there; for it is manifestly impossible that protection there should long go on, if other people begin to grumble at the privation of their own. The ship-owners are a powerful race, and can make a great noise; but the difficulty is to keep them from breaking out into a cry for free trade in every thing but ships. Be very civil to the ship-owners; as long as they

keep off this point. Sugar, is an article on which you can do much. Besides, no man is obliged to eat sugar unless he likes; so that you can never be accused of cruelty. If there are two ways of getting sugar, a dear way and a cheap,—lay a tax upon the latter. It will clearly create a balance of loss to somebody, exactly equal to the difference; and the inventors of the dear sugar will know they are obliged to you. There is no telling on how many occasions such people may be useful. Tea, is another thing of the same kind; besides, it is unwholesome. Though you may have no place where you can grow a dearer tea, you can send out men to buy it and sell it at a higher price. In this manner you may add considerably to a distress; and it falls on those only who are foolish enough to spend their money in foreign drinks. At the same time, expect some opposition from the ship-owners. But you must get up a race of *tea* ship-owners, and see that they spend more money than the others, and so they will keep them in check. If these are confined to the metropolis, it will be better; for otherwise they will be scattered, and might be confounded with the rest. If the petty ship-owners, the 'three-hundred ton' men, set up an outcry, throw out hints of a monopoly of some kind for themselves. Say that the government is exceedingly well disposed to consider, &c.;—and when the pinch is over, you may forget it, or a minister may be transferred.

If you are clever, you will find a multitude of opportunities for propping up your system, without the necessity of a hint on every particular occasion. In the eyes of a man of genius, every thing falls of itself into two parts; the ways in which it may help his objects, and the ways in which it opposes them. An ecclesiastical establishment may often be made good use of; especially if its members are a minority. For it is clear that such an establishment can do nothing but support you. Concentrate its wealth in as few hands as possible; for one man who has fifty thousand a year by means of you, will exert himself with more effect, than fifty thousand who could do almost as well without you, and would have been nearly as well off if they had been tailors.

When you lay a tax, consider whether by increasing the rate, its operativeness for your particular purpose may not be increased, at the expense of a very moderate diminution of the revenue. In fact there are many taxes, in which if it was possible to increase the rate till the revenue derived from them was nothing, it would be the maximum of good. Such, for instance, are those on literature; where it is clear that your real gain, will be in exact proportion to the unproductiveness of the tax.

Fools do not always find this out; and there is a large proportion of fools among those you have to deal with. It is needless to tell you, that every addition to the expense of collection, is also so much gain. It is finding a living for so many individuals of sure principles, at the expense of those who most probably are of worse.

Remains only your foreign policy. And this, though it may not admit of being made operative directly, admits of it indirectly. Continually bear in mind, that in all governments founded on principles like yours, there is a strong under-current of hate and desire of change, if it is looked for in the proper places. There is therefore virtually a common cause. You may be reduced to many shifts; and often be obliged to do a little, where you would gladly do a great deal. But never let it be absent from you, that to make the most of that little, is the touch-stone of your capacity. And in reality, to serve your friends, does not require such overt acts as men suppose. A quiet encouragement, a lurking intimation of regard, will often produce as much effect as a more open demonstration. *Neutrality*, is one of the most useful weapons in your armoury; he that can be neutral whenever it suits his purpose, has half the battle in his hands. Whenever interference would be against your friends, you can be loud upon neutrality; when it would be the other way, then neutrality must have its bounds. No insult offered during the prosecution of this system needs move you from your purpose; because it is clear, that whoever is hit, it was not meant for *you*. If the power from whence it comes is comparatively contemptible, there is only the more reason why you should befriend him; and you may say he is too small to notice. This is a plan that has often been known to answer. Besides, it is necessary to husband your interference, for the case where there should really be a necessity for putting down some great effort. The more cases you can produce of non-interference on the other side, the more easily you may say that non-interference cannot last for ever, and you must interfere in this. Remember that all governments are responsible to each other, for doing nothing whereby the others can be injured; and there is no injury to a government so serious, as allowing its natural enemies to get head in any quarter. Your whole system is but a tottering one; and may fall down like a house of cards at any moment, unless the greatest pains are taken to prevent the first shake. The art of a statesman is avowedly one of the most difficult in the world; and in proportion to its difficulty, is the merit of those who can keep the machine upon its legs in circumstances like yours.

If you are pressed by political opponents at home, the

best resource is impertinence. Be imperious in the Commons, saucy in the Lords; and men will see that you belong to a regular government. But do not get an ill name by trying to maintain too long, what you are conscious you cannot keep. Act like a good general, and retreat as far as is necessary and no farther. There will generally be some small after-ground on which you can make a stand, and escape the imputation of having surrendered a principle. Be not too much disheartened, when you are obliged to give way. The world itself will not last for ever; and the utmost that can be expected from you, is that you shall make things last as long as they can. Have what a sailor calls 'a good look-out ahead.' There is no instrument so battered, so bankrupt in public opinion, but a game may turn up in which the card may be made to play; and the worse the card is, the more striking is the effect of bringing it into use. Be always ready to drop minor differences, where the greater interest is at stake; a turban may be as useful as a wig, and there is a littleness in being exclusive. In all countries, have a leaning towards the ruling powers; for they are as sheep among wolves. There would be no difficulty in government, if there was not a continual opposition between the governors and the governed. Nevertheless *talk* liberality, when there is no question of any thing to be done; and you will find the use of it, when you have reasons for avoiding the subject.

Never wander from your principle, that public evil is the fountain of private good. Be convinced that all men have within them a leaning towards acknowledging this truth; and that whenever you try one of them on this ground, you have half a convert before you to begin with. There *is* no virtue; any thing that goes by that name, is only ignorance of what is to be made by the opposite practice. Study history; for the sake of the proofs it affords of this. Bear in mind that reputations are fallacious, and the applause of the public often ill bestowed; and that nothing can pretend to permanence, which does not begin by keeping up the existing order of things.

Impress on the rising generation, that liberal ideas are illiberal, and unfitting for a gentleman. Allow your young men to be republicans, Greek or Roman, till their fifteenth year; but after that, instil into them, that they must put away childish things, and apply themselves to the realities of life. But this relates only to youth of the higher classes; the rest will know nothing of republics, but by the thanksgiving-days in the book of common prayer, and an indistinct notion that there are some bad people without an established church, living under that title in America.

If by these and other means which your own genius will suggest, you can gain and preserve full power to maintain your system, it is hard if with moderate perseverance you do not raise up a distress. You will see that the operatives,—whom perhaps you thought invulnerable and past your reach,—will be the first that will begin to complain they cannot live. And next you will see the complaints extend themselves upwards, and upwards, and upwards,—not exactly in the shape of want of bread, but in the shape of the discovery that every body,—except you and your particulars, who are living on the taxes, and take care that your shares of them shall be such as to make you always comfortable, —is unable to live as he used to do, and is therefore comparatively distressed. Nothing can be more curious, to any body who has a taste for this kind of thing, than to witness the different features of the process. Some curse, some swear,—some turn heathens, some religious,—some try resistance, some die drinking the king's health in pump water;—but the greatest part will redouble their eagerness to make something by their neighbours loss, and come to you for the means of carrying it into effect. And here you must act like a good commander, and make the war feed the war. As long as you can deny or evade the acknowledgment of the distress, it is perhaps best to do so; it is so much ground in reserve. The distress will fluctuate; therefore when it is worst, say it will be only temporary; and when it is better, say that it is gone. If you can find any body that is worse off than his neighbours, you may say the distress is partial. Gain time in this way as long as you can. But when all this can be done no longer, the pretty play is, to make the distress contribute to its own support. There will probably be somebody, who will call out for the removal, or at least the relaxation, of your system. Lay hold of this, and use it like wise men. Point to the loss that would follow to the trader who should lose his monopoly; but say nothing of the gain that would arise to the trader in favour of whom it should be opened, nor to the consumer who would gain the difference of price. Appeal to men's humanity whether the first should be allowed; but say nothing of the consequences of the other two. Talk loudly of the cruelty of cheapness, and the hard-heartedness of allowing men to buy at the lowest market; and you will be astonished to see, what a multitude will run after you. Advance stoutly, that high prices of every thing are what make all men rich; and a good half of the nation will follow you, as if you were the bottle-conjuror. If you have been brought up in that line, quote scripture; but, for the House of Commons, Virgil will do as well. When you attack Malthus, attribute to

him every thing he has never said, and omit all he has; it has been long approved the best mode of confutation. Encourage poetry; because poetry is fiction, and fiction is what is not true. Besides, the things most immediately dangerous to you, are generally said in prose. Make a great outcry about elegant literature; for distress is an inelegant thing, and elegant literature will never touch it. You may always have writers on your side, if there is any thing to be had from you; and, like the seats in a theatre, the elegance will be in proportion to the price.

It is very useful to have a foreign nation, where you can try experiments which it would not be exactly safe to try at home. The uses of this are two; that you keep your hand in, and that you can contest a point on foreign ground instead of on your own. A good manager will generally make his struggle for prerogative, abroad; there is less lost if it fails, and if it succeeds, the advantage is as real as if it was gained elsewhere. Whenever foreign despotisms begin to give way, there will be danger of reform at home. Experience proves this maxim to be as needful to a statesman of your kind, as butter to a cook. War, in the acceptation of modern publicists, is self-defence against reform; and however just and necessary this may be, it is acknowledged to be better to carry it on in a foreign territory than your own.

If such a course of policy will not create and perpetuate a distress, the attempt may be given up in despair, and it may be set down as proved that the nation experimented on is inaccessible to human agency. And if all or most of the measures proposed, have their actual completion and exemplification in the history of any country with which we have to do,—it would not be a far stretch of intellect to infer, that one step towards removing the misery would be to undo them. Let it be done with all the caution—short of standing still—which our ancestors would recommend; but let the trial be made and carried on, whether for every body to rob every body, is not a thing that men could live without. Remember that the demand is not for rash adoption, but for trial. The demand for caution in this world is confessedly so great, that when a wise child has put its finger in the fire, it always perceives the necessity of using a certain degree of caution before it takes it out.

ART. XVII.—*De Prisca Ægyptiorum Litteratura Commentatio Prima, quam scripsit Joannes Godofredus Kosegarten, S. S. Theol. Doct. Ejusdemque et Litterar. Oriental. in Academia Gryphisvaldensi Prof. Publ. Ordin. &c. &c. Cum Tabulis plerisque. Vimariæ, CIↃ CICCCXXVIII.*

THERE can be little doubt, that, next to the formation of a phonetic alphabet, by which every articulate combination of language may be expressed, and the invention of printing, by which copies of books may be multiplied without limit, the discovery which has contributed most largely to the advancement of knowledge, and the improvement of mankind, is that of the signs commonly called the Arabic Numerals. The latter, indeed, are to the different modes of notation which obtained prior to the period of their introduction, what the phonetic alphabet was to the rude and untractable forms of pictorial or symbolical writing, which, in the natural progress of events, it succeeded and finally superseded; namely, a series of signs denoting the simplest elements of numerical expression, yet susceptible of indefinite combination, precisely as the alphabet in question, though representing only the elementary sounds of the human voice, is, nevertheless, the basis of written language. Both discoveries, in fact, were the result of an analysis so refined, a simplification so perfect, as not only to fill us with unbounded admiration of the wonderful subtlety of genius by which they were achieved, but, which is of far greater importance, to afford, when accommodated with appropriate signs, the inestimable advantage of universal expressions. The nine digits, or Arabic Numerals, therefore, are to the science of numbers what the phonetic alphabet, in its simplest form of the Kadmean, or double octave, is to spoken or written language; that is, *τὰ πρῶτα στοιχεῖα, prima elementa*, or first principles, by the synthesis or composition of which, results, astonishing in themselves, and otherwise wholly unattainable, have been produced. And it is worthy of observation, as a remarkable fact in the history of the human mind, that the only two discoveries which no one has ever claimed as his own, are precisely those which succeeding ages have found it impossible to extend or improve, and which, at the period of their first introduction, were, in all respects, as complete and as universal in their application as they are at the present moment.

But, without pushing the parallel further, or going into any nice metaphysical distinctions, it may be observed, that all the methods of notation, which obtained prior to the introduction of the Arabic, were singularly clumsy and imperfect. That adopted

and employed both by the Greeks and Romans, was the literal method; but this, when carried to any extent, and applied to the resolution of questions involving either fractional exponents or the higher powers of numbers, necessarily became excessively complicated and operose, to say nothing of the extreme difficulty of expressing, in this form, by means of literal signs, certain properties of numbers which enter into all but the very simplest arithmetical computations. The Greeks, it is true, felt these difficulties and obstructions; and accordingly, at a very early period of their history, their characteristic ingenuity was successfully exerted in devising sundry forms of abbreviation and other contrivances, some of them equally felicitous and original, in order to overcome the obstacles which this method of notation opposed to the prosecution of scientific investigations. But such was the untractable nature of the instrument they employed, and so essentially ill-adapted was it to all the higher pursuits of science, that the utmost efforts of their ingenuity failed to render it available for this purpose, or to accommodate it to those refined researches to which they were so much devoted, and for which no people upon earth ever manifested greater intellectual aptitude. Among the warlike and unscientific Romans, on the other hand, the imperfections inherent in this method seem scarcely to have been perceived; notwithstanding their practice of reckoning by defect must have tended mightily to complicate any computations in which they may have had occasion to engage. Unconscious of the difficulty, and most probably incapable of estimating the inconvenience arising from such a method, they appear to have been content to take their science, like their literature, at second hand, and to borrow, as they had occasion, from the Greeks what they could neither discover nor invent for themselves. But be this as it may, it is certainly very remarkable that the latter people, who were indebted to the Egyptians for the elements of that science which they afterwards so greatly improved, should have failed to discern the advantages of the method of notation employed by their masters, or neglected to transplant it into their own country, and, having pruned and dressed it with due care, to substitute it in the room of the literal system, to the inconveniencies of which they were far from being insensible. Nor will our surprise be lessened when we call to mind that, down to a comparatively recent period of Grecian history, no Greek seems to have been accounted truly learned who had not sojourned for a time in the land of the Pharaohs, conversed with the priests of Thebes or Memphis on the mysteries of their science, studied the laws, government, and institutions of the most

remarkable nation that ever existed, examined and explored its everlasting monuments, and, in a word, become initiated in "all" or at least in part of "the learning of the Egyptians."

It is to a small but by no means insignificant portion of that "learning" that we purpose at present directing the attention of our readers; namely, the basis of the numeral system, or the method of notation, which obtained in ancient Egypt. This method, like that employed by the Greeks and Romans, and still in use among ourselves, was the decimal; which, indeed, is the most natural as well as the best adapted for combination, and has accordingly prevailed among all nations, whether ancient or modern, who have made any progress in civilization. But although the Egyptians shared this method in common with other nations who had emerged out of barbarism, or rather perhaps were the first to employ a method which afterwards recommended itself to universal adoption, nothing can be conceived more unique and peculiar, or, in other words, more characteristic of this remarkable people, than their system of numerical signs, as exemplified in the monumental inscriptions and other forms of writing, which modern industry and ingenuity have succeeded in deciphering. That system is neither literal, like the Grecian or Roman, nor altogether figurate, like the Arabic, but something, if we may so express it, intermediate between both. It is constructed, in fact, upon principles altogether peculiar, and expressed by means of certain characters or signs which, although totally distinct from the characters or signs employed in the graphic system, are nevertheless framed upon a strict analogy with those symbols, and adapted with much apparent nicety to the particular form of writing in which they happen to be used. Accordingly, as there were three forms of writing among the ancient Egyptians, viz. the *hieroglyphic*, the *hieratic*, and the *enchorial* or *demotic*, so in like manner there were three forms of notation used by them, one adapted to each of those particular kinds of writing, and now known by the name of the variety to which it belongs, as the *hieroglyphic*, the *hieratic*, and the *enchorial*. But it is known to Egyptian scholars that the hieroglyphic, or monumental writing, is the basis of the two other forms, which, to incurious observers, appear to be altogether distinct and independent modes; in other words, the hieratic is merely a tachygraphy of the hieroglyphic, and the enchorial of the hieratic, the last, or the enchorial, being consequently the shortest form, and as such that generally used throughout the country. The same analogy holds in the system of numerical expression, in which we find that, with some exceptions, the hieratic is a modified form of the hieroglyphic, and the enchorial or demotic

a correspondingly modified form of the hieratic: but in the two last forms, namely the hieratic and enchorial, there is this peculiarity, that separate modes of notation, or rather of numerical expression, are employed to designate the days of the month, and that in both these modes several of the numerals which we now denominate Arabic are clearly recognisable. This very remarkable fact, which we now for the first time bring under the notice of the learned in our own country, will be strikingly exemplified when we come to display the Egyptian system of tripartite notation in detail. In the mean while it may be observed, that it does not very clearly appear which of these forms, or whether any of them, was used in preference to the others in scientific or ordinary computations. Judging from analogy, however, it is probable that the enchorial notation, like the enchorial writing, was that employed in the common transactions of life; and with respect to scientific computations, all that can be gathered from such monuments as the zodiacks of Dendera and Esneh, and the inscriptions generally, is merely this, that the numerical expressions employed are uniformly accommodated to the particular kind of writing in which they appear.

The principal writers who have treated of the hieroglyphic signs of numbers are Jomard, in his *Notice sur les Signes Numériques des Egyptiens;* Dr. Thomas Young, in his *Hieroglyphical Vocabulary,* and also in his elaborate article on *Egypt* in the fourth volume of the *Supplement* to the *Encyclopædia Britannica;* and Champollion, who published several hieratic signs of numbers, found in a fragment of a hieratic papyrus, in the second fasciculus of a work entitled *Hieroglyphics,* which made its appearance in London in the year 1823. By the labours of these and other individuals of scarcely inferior note, who have applied themselves to the study of Egyptian literature and antiquities, the hieroglyphic signs of numbers from 1 to 1000 have been ascertained and verified beyond the possibility of doubt or error; and as these signs constitute the simplest of the three forms of notation in use among the ancient Egyptians, being that employed in monumental inscriptions, we shall endeavour to represent them in such a manner as to render the principle of their arrangement as obvious as it is plain and inartificial, and thus to prepare the reader for details of a more complex and intricate description.

The nine digits are not represented upon the Arabic principle of a separate sign for each, but simply by repeating the sign of unity as often as there are units in any digit from one to nine, the latter inclusive. Thus *unity* itself is represented by a short

thick stroke or line, I, *two* by a couple of such strokes or lines II, *three* by III, and so on to *ten;* the higher digits, however, such as *seven, eight,* and *nine,* being represented frequently by strokes arranged in double columns of *three* and *four, four* and *four,* and *five* and *four,* apparently for the purpose of saving space. The mark or sign for *ten* is ∩, anciently ⊓, and all the intermediate numbers between 10 and 20 are represented by units adscribed or affixed to the symbol for *ten:* thus ∩I is 10+1 or 11, ∩II is 10+2 or 12, ∩III is 10+3 or 13, and so on. *Twenty* is represented by *two* tens ∩∩, and the intermediate numbers between 20 and 30 in the same way precisely as those between 10 and 20; *thirty* is represented by *three* tens ∩∩∩, *forty* by *four* tens ∩∩∩∩, and so on to a *hundred;* the tens in 60, 70, 80, and 90 being, like the higher digits, generally arranged in double columns of *three* and *three, four* and *three, four* and *four,* and *five* and *four,* and all the intermediate numbers being expressed in the way already explained. From 100, the mark or sign for which is 9, to 1000, the numbers ascend exactly upon the principle already explained in regard to the preceding part of the scale. Thus 200 is represented by the sign of 100 *doubled* 99, 300 by the sign of 100 *tripled* 999, 400 by the sign of 100 *quadrupled* 9999, and so on to 1000, the symbol of which is or . Such is the hieroglyphical form of notation, as ascertained and determined by a vast number of readings and experimental verifications; and from what has been already stated, as well as from the nature of the signs themselves, and the principle upon which they are combined, it seems pretty evident, that they could never have been employed except in monumental inscriptions, for which alone they are adapted. To say nothing of other objections, it is by far too operose for ordinary purposes, and never could have been

applied with any degree of success either to civil affairs or to scientific computations. The number of the present year, 1830, for example, would require, according to this method, no less than twelve marks or characters, , to express it, or three times the number of signs required by the Arabic notation. At the same time, the high antiquity of this method of numeration is evinced by the simplicity of the principle upon which the scale is constructed, no less than by the age of the monuments in the inscriptions on which it is discovered. It may be added that this scale has no peculiar or distinct set of numerical signs appropriated to the days of the month, as is the case both in the hieratic and enchorial forms of notation.

The hieratic form, which is the most complete of all, possesses several very remarkable peculiarities; but as it passes naturally into the enchorial, and has a much more marked affinity to that form than to the hieroglyphic, of which some explanation has been just given, we shall confine ourselves at present to a mere exposition of the principle of the scale; reserving for the account of the last or civil form of numeration such details as are deemed necessary for expounding and illustrating the mode in which the numerical signs were discovered and ascertained. We may observe in the outset, however, that the principle of the hieratic is essentially the same with that of the hieroglyphic scale, only it is carried much farther, and a greater variety of signs admitted, which renders it capable of indefinite extension. The digits, omitting the variations, which are in general trifling, are represented thus: 1, or ; 2, ; 3, ; 4, ; 5, or ; 6, ; 7, or ; 8, ; 9, or . *Ten* is represented by *lambda* either direct or reversed, or ; or 20 by or ; 30 by ; 40 by ; 50 by ; 60, by or ; 70 by ; 80 by ; and 90 by . The sign of 100 is , of 200 , of 300 , of 400 ; while 500, 600, 700, 800, and 900 are represented respectively by combining the signs of 200 and 300, of 300 and 300, of 300 and 400, of 400 and 400, and 300 thrice repeated. The mark for 1000 is just the *sanpi* of the Greeks, viz. or or ;

that for 2000 , for 3000 , for 4000 ; 5000, 6000, 7000, 8000, and 9000 being represented by precisely the same arrangements as 500, 600, 700, 800, and 900. The symbol of 10,000 is , and 100,000, is represented by the sign of 100 combined with that of 1000, thus . So much for the *numeri vulgares* of the hieratic scale. With respect to the *numeri dierum*, they are not a little remarkable as exhibiting the source whence the Saracens derived three if not four, of the numerals which that victorious people afterwards introduced into the western world, thus conferring upon Europe one of the greatest obligations it ever received, at the hand either of conqueror or sage, the art of printing alone excepted. These numbers resolve themselves into three decades, the first of which is as follows, viz. 1, ; 2, or ; 3, ; 4, ; 5, ; 6, ; 7, ; 8, ; 9, ; 10 or . The numbers composing the second decade, or from 10 to 20, are represented by combining the symbol of 10 with the digits in succession, thus 11; 12; 13; 14, and so on to twenty, the sign or mark of which is . Lastly, from 20 to 30 (the symbol of which is or) the numbers are represented in the same way precisely as from 10 to 20, viz. , 21; , 22; , 23, &c. So much, then, for the hieratic notation in both its parts, which is evidently, in many respects, a great improvement upon the hieroglyphic, the source whence it was primarily derived.

The enchorial form of notation, is still unfortunately the most imperfect of all, at least in the *numeri vulgares*, in which there is a *hiatus* from 13 to 20, and from 60 to 100, the intervening numbers being as yet undetermined by actual discovery, although easily conjecturable from the analogy of the scale. It may not be improper, therefore, to explain to the reader how those signs which are already ascertained

came at first to be discovered, as well as to point out a few of the remarkable verifications which these discoveries have received, in consequence of the fortunate accidents which have so materially contributed to the advancement of Egyptian learning. And here it may be stated, that several of the enchorial signs of numbers have been collected from the Rosetta Inscription, and also from the *exordia* of those enchorial *papyri* in which a registry in Greek happens to be adscribed to the Egyptian syngraph or deed. The registry, it will be observed, invariably specifies the amount of the tax which, by the law of Egypt, was imposed on every transfer of property; and as this tax appears to have been for the most part paid in the course of the year in which the transfer was effected, it follows that the year mentioned in the registry must in general be identical with that specified in the commencement of the relative enchorial syngraph or deed. Thus, in the 38th Berlin papyrus, the first words of the Greek registry are ἔτους λά, while the enchorial syngraph begins 𐅵, 31, 𐅵 *anno*, with Egyptian words to precisely the same effect: so that, from the exordium of this syngraph, we ascertain the enchorial mark or sign for the number 31, viz. 𐅵. But all the enchorial numerals cannot be discovered in this way; for although dates are entered in the syngraphs as well as in the registries, yet the date of the purchase, engrossed in the syngraph, is often different from that of the payment of the tax, specified in the registry. Thus, in the 36th Berlin papyrus, the date of the purchase is the 18th Athyr (𐅵, 18, 𐅵 Athyr), whereas that of the payment of the tax is the 9th Choiak (χοιὰχ θ'), the month immediately following: Hence it is obvious that the Greek numbers of days, entered in the registries, could go but a short way in enabling us to determine the enchorial numbers of days, as recorded in the syngraphs; nor was the difficulty lessened by the circumstance of the enchorial signs, indicating the numbers of days, being arranged upon a principle totally different from that of the signs applicable to the numeration of years and other matters indiscriminately. Without some additional means therefore, in the shape of monuments, affording opportunities of comparison and verification, we might still have remained in nearly total ignorance of the numeral system of the ancient Egyptians; for although the import of certain marks or signs

might have been conjectured upon the principle above mentioned, nevertheless the frequent discrepancy between the dates of the registries and those of the syngraphs, coupled with the want of any clue by which their identity or difference could be ascertained, must have rendered it utterly impossible to determine the value of a single sign with any thing approaching to certainty. Fortunately, however, new monuments were discovered, and all these difficulties overcome. "Au milieu des inappréciables richesses archæologiques réunies dans la ville de Turin par la mémorable munificence de S. M. le Roi de Sardaigne (says the *Bulletin Universel* for May 1825), M. Champollion signala publiquement à l' Europe, dès le mois d' Octobre 1824, les nombres historiques qu'il avoit reconnu le premier, et donna dès ce moment un certain nombre de dates historiques tirées des chiffres de ces manuscrits. Il s'occupa dès-lors à compléter le tableau des chiffres hiératiques et démotiques; et des dessins qu'il reçut en même temps *par un heureux hazard*, de M. Anastasy et de M. Salt, consuls de Suède et d'Angleterre en Egypte, lui ayant fourni les élémens qui pouvoient lui manquer, il fut en état, dès le mois de Novembre 1824, de présenter au monde savant le tableau complet des chiffres et du système numérique des Egyptiens." This he accordingly did, in a criticism on an Italian work published at Turin under the title of *Saggio sopra il Sistema de' numeri presso gli antichi Egiziani*; and it is but justice to add, that few additions of any consequence have since been made to the "tableau des chiffres et du système numérique des Egyptiens" which M. Champollion then presented to the world.

So much for the fact of the discovery itself. With regard to the mode in which it was effected, a circumstance about which the inquisitive reader may naturally be supposed to feel some curiosity, nothing can possibly be imagined less intricate or mysterious, so far as the mere principle is concerned. The frequent discrepancies, in the matter of dates, between the Greek text of the registries, and the Egyptian text of the syngraphs, have been already noticed; and we have also explained the cause to which these descrepancies were owing, as well as the obstacles thus interposed to the certain determination of the Egyptian signs of numbers contained in the text of the syngraphs. But it is evident that all these obstacles would be at once removed, and that every difficulty would vanish, provided we were fortunate enough either to obtain bilingual syngraphs, or, which comes to the same thing, to discover separate translations of any of those previously known to us. Now, it so happened, by a rare concurrence of chances, that both these objects, so vitally important to the interests of Egyptian learc-

ing, were much about the same time realized; that in the great Turin papyrus, containing an account of the litigation between Hermias and Horus, M. Peyron discovered a translation of the first enchorial syngraph of sir George Grey, relative to the purchase of a piece of ground near Diospolis Magna by one Teephbis; and that several bilingual manuscripts, in which dates and other numbers occurred, were also brought to light. In a word, when human sagacity was utterly at fault, and the cultivators of Egyptian literature and antiquities *au desespoir*, fortune supplied the key which was wanting, and thus laid open a new compartment in the colossal fabric of which a small portion only had been previously explored. With these appliances and means to boot, M. Champollion had a comparatively easy task in evolving the numerical system of the antient Egyptians.

It only remains to subjoin an example or two in illustration of this general statement, which might otherwise prove scarcely intelligible to those unacquainted with the history and progress of discovery in this new and interesting field of inquiry. And here we shall recur to the remarkable syngraph of Grey, above mentioned, and of which a translation was so unexpectedly found. It bears that a piece of ground to the south of Diospolis had been purchased by one Teephbis; and the registry informs us that he completed his purchase on the 18th day of the month Pachon, and in the 28th year of a certain king's reign: *ὅν ἠγορ' ἐν τῷ κή παχῶν ιή.* But the translation or summary of the deed, engrossed in the great papyrus of Turin, contains precisely the same date, and consequently establishes the identity of the date in the syngraph with that in the registry. All that remains, therefore, is to distinguish the enchorial groups in the syngraph corresponding to the numbers 18 and 28: and this is easily done; for the characters representing *Pachon* and *year* being previously known, the *loci* of the groups answering to the numbers, as well as the groups themselves, are thus fixed and ascertained; and this is rendered still more certain by the circumstance of the signs or characters representing the number 18, having been determined anteriorly by an examination and comparison of other manuscripts. Again, in the Turin papyrus, the extent of the ground purchased by Teephbis is given; he bought, it seems, seven and a half house-cubits: *πηχεῖς οἰκοπεδικοὺς ἑπτὰ ἥμισυ*: and this number occurs *four times* in the translation or summary. On turning to the enchorial syngraph, we accordingly find, in combination with the group answering to *cubits* or *house cubits*, two other groups of characters easily distinguishable, which occur in lines 12, 13, 15, and 18, that is, *four several times*, and which therefore correspond to the num-

bers $7\frac{1}{2}$. The same group is also distinguishable in Grey's second enchorial syngraph, line 14. But as we learn, both from the Turin papyrus and from the Greek registry inscribed in that of Grey, that those seven and a half house-cubits had been measured off from a piece of ground, situate to the south of Diospolis, and extending to *ten* cubits, and that the remaining two and a half cubits had been purchased by a different person from Teephbis, namely one Asos; it follows that the enchorial numerical signs corresponding to 10 and $2\frac{1}{2}$ may be ascertained in the same way precisely as the signs corresponding to $7\frac{1}{2}$, the mode of determining which has been already explained. We may add that the numerical sign of $\frac{1}{2}$ viz. 𐅵 is remarkable from its close approximation to the Arabic method of representing one of two equal parts. With regard to the little territory, the description of which in these title-deeds has led to so important conclusions, it appears to have been originally in the possession of no less than seven persons, whose names are duly recorded, viz. Alecis, Lubaïs, Ibaiais, Senerieus, Erieus, Senosorphibis, and Spois, or as the Turin manuscript has it, Sisois, and who sold the larger portion, or $7\frac{1}{2}$ cubits, to Teephbis the son of Amenathis, and the smaller portion, or $2\frac{1}{2}$ cubits to Asos the son of Horus. The first syngraph or title-deed of Grey refers to and describes the purchase of Teephbis; the second is exclusively confined to that of Asos; and the great Turin papyrus, so often referred to, contains an account of a litigation arising out of these very purchases, prefixed to which is a full summary in the Greek language of the contents of the title-deeds themselves. In a word, the Grey syngraphs are the actual title-deeds referred to in the litigation between Hermias and Horus; a circumstance the discovery of which forms an era in the history of Egyptian literature, and exhibits one of the most remarkable coincidences to which accident ever gave birth.

It is unnecessary to multiply examples further, and we now therefore proceed, in conformity with our plan, to give as concise a view as possible of the enchorial numerals, so far as these have been as yet discovered. The signs do not differ materially from the hieratic, but the scale is much more limited. The digits are represented as follows, viz. 1, 𐅵 or 𐅶; 2, 𐅷; 3, 𐅸 or 𐅹; 4, 𐅺 or 𐅻; 5, 𐅼; 6, 𐅽 or 𐅾; 7, 𐅿; 8, 𐆀; 9, 𐆁. *Ten* is represented by 𐆂, *twenty* by 𐆃 or 𐆄, *thirty* by 𐆅 or 𐆆, *forty* by 𐆇, *fifty* by 𐆈 or

, but from this last number to 100 the scale is blank, and none of the higher enchorial numerals have yet been discovered. With respect to the *numeri dierum* they differ so little from the corresponding numbers of the hieratic scale, and may be so easily recognised from those numbers, that it would be a useless waste of time to exhibit them in detail. The only peculiarities are that the digits in combination with the signs of 10 and 20 are prefixed instead of being superimposed, and that the sign of 20 is instead of the hieratic . On a form of notation so limited and imperfect, where so little has been discovered and so much remains for future research to explore, it is almost unnecessary to offer any observations. Since the time of Dr. Young, who had a peculiar talent for deciphering enchorial texts, almost no progress has been made in this department, which his sagacity first opened to the curiosity of the learned. The superior attractions of the hieroglyphic inscriptions have withdrawn the attention of the cultivators of Egyptian learning from their enchorial studies; and controversy has stepped in to interrupt the progress of those pursuits which, if persevered in, might have been productive of results more brilliant and valuable than any that have yet crowned the labours of Egyptian scholars. But it is hoped that these disturbing causes will soon cease to operate, and that, although Young be taken from us, there will not be wanting other men to follow in his footsteps, and imitate his patient spirit of inquiry, however much they may fall short of his discernment and sagacity.

With regard to the subject which has more immediately engaged our attention in this Article, it seems abundantly evident, even from the discoveries which have been already made, that civilization had made extraordinary advances in Egypt, at a period when the most renowned nations of regular history had not emerged from their primeval forests, or learned the simplest rudiments of the useful and necessary arts. This is evinced by those wonderful monuments which have outlasted the fury of five conquests, and the ravages of forty ages, but still more perhaps by the marvellous sculptures with which these monuments are covered, the pictorial inscriptions which adorn their interior, and the manuscripts which are from time to time rescued from the asphaltum of mummies, or the decomposed matter of sarcophagi. For a long tract of time, indeed, it seemed that the knowledge of these inscriptions and writings had died with those who produced them, or at least expired with the nation of whose records they were somehow believed to form part; and the learned had for ages abandoned as hope-

less all attempts to penetrate the mystery in which all things connected with ancient Egypt were to a great degree enveloped. But a lucky accident and a rare sagacity supplied the key which had been supposed to be lost for ever; and the cell of the mighty pyramid, into which no ray of light had penetrated since the last of the Pharaohs was "quietly inurned," was at length opened to the scrutinizing gaze of modern curiosity. In plainer terms, the discovery of the phonetic hieroglyphic alphabet, and the determination, by a simple and obvious process, of a vast number of enchorial groups of characters, the separate values of which still remained unknown, not merely withdrew a portion of the veil which had so long concealed "the learning of the Egyptians" from our view, but at the same time furnished us with the means of extending our acquaintance with those mysteries which our predecessors so ardently desired to look into, yet were wholly unable to penetrate. Nor have these advantages been neglected or unimproved. Men of the very highest order of intellect, and not less distinguished for their acquired knowledge than their natural endowments, have enthusiastically applied their minds to the subject; and it has been our business, in the course of this Article, to exhibit some of the results to which their unwearied researches have conducted them;—results which are not more interesting in themselves, than valuable and important as displaying the germ at least, if not the actual substance, of one of the most precious gifts ever bestowed upon mankind. We have the authority of Plato, and, what is still better, the authority of facts, for believing that letters were invented in Egypt. Kadmus indeed carried them to Greece from Phœnicia; but Phœnicia itself borrowed from Egypt what it gave to Kadmus. And it would now appear that to the same source the world is really indebted for those numerical signs, called Arabic,* which, next to the invention of letters, must ever be accounted one of the most fortunate, and at the same time most perfect contrivances that have ever sprung from the exercise of human ingenuity.

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* *Note by the Editor.*—The Arabs themselves call their numerals هندي *hindi*, Indian. Connect this with the evidence, that the religion of Egypt, and therefore probably its learning, came from India. The story of the Sepoys who prostrated themselves at the sight of the gods of Egypt, is well known. The *cobra de capello* or snake with an expanded head, peculiar to India, and which appears as the emblem of destructive power in the *Trimurti* or Indian Trinity at Elephanta, abounds as a mortuary emblem in the tombs called *Bibân ul Muluk* near Thebes, and in the temple at Dendera. The object on the heads of human figures, which might be taken for the shank and bowl of a spoon, is on examination the *cobra de capello*. It is found also among the large snakes which encircle the tops of chambers in the tombs.

ART. XVIII.—1. *The Policy of Princes; an Essay, containing, together with much useful Advice to Legitimate Monarchs, a Faithful Picture of the Present State of Europe.* By a Member of the Austrian Legation.—London. Horatio Phillips. 1828. 8vo. pp. 115.

2. *Quarterly Review (No. LXXXV. Art. 7.) on the 'Political Condition and Prospects of France.'*

THE first of these productions is introduced for the purpose of pointing it out as the source from which the greatest part of the other has been taken without acknowledgment. The public will therefore have the opportunity of comparing the original Selkirk, with the additions that have been made by the ingenuity of the plagiarist.

The object of both is to inculcate the desirableness of establishing arbitrary power wherever it is practicable; and the last contains a special application to the apprehended possibility of introducing it at the present moment in France, through the instrumentality of the Bourbons. In fact it is the manifesto of the party, who having brought upon their country all the misery that has been consequent on its past efforts to uphold the interests of arbitrary power throughout the world, are looking out keenly for an opportunity of plunging it into accumulated evils from the same source. The high church and the tories snuff the possibility of another revolutionary war; and it is with a view to obtaining something like a fair consideration of their project before it is too late, that notice is here taken of the feeler which they have put out.

Every body knows that during the latter half of the seventeenth century, political contests took place in England which ended, after considerable variety of fortune on both sides, in the entire discomfiture of the partisans of divine right, and the complete establishment of the principle of legitimacy, as construed to imply, that the sovereign chosen by a nation, whether native or of foreign birth, is the only legitimate, and that any other, however fortified by a line of ancestors, is what, for the sake of conveying the whole in a single word, the British constitution has designated by the term 'Pretender.' And for further elucidation in cases that might admit of it, it was clearly acknowledged and understood, that one of the most decisive marks and evidences of a 'Pretender,' consisted in his endeavouring to effect or perpetuate his establishment, by the operation of foreign armies. Such was the settlement upon which is founded the existing form of government in Great Britain. All men gave in their adhesion to it; and after

the individuals engaged in the previous struggles had had time to disappear from the scene, all were loud in their professions of attachment. It became the common as well as the written law of the land; it was the bond that held the community together, the *principium et fons* from which were derived all the claims of the actual government to obedience, and all the security of individuals for good expected to be consequent thereon. He that doubted this,—or at all events, that gave action to his doubts,—was deemed a traitor, and is so still. It is not necessary to demand that he should be embowelled, or in other ways to countenance the execution of the sanguinary laws which men have always been too ready to make for the coercion of those who differ in opinion from themselves; but what is meant is, that the fact conveys that mixture of treachery, meanness, and dishonesty, which is popularly included under the epithet of traitor.

So far things went well. But human nature is feeble; and no man is to be trusted with doing justice in the converse of his own case. A contest arose with the colonies, in which, though the dispute was not on the legitimacy of an individual, the leading principles of public right which had been at stake in the British revolution, were all concerned, and all broken through. Fortunately for us of the present generation and for the world, the struggle on the British side was eminently unsuccessful. But the public spirit was perverted. Great masses of men had become accustomed to direct their feelings in the channel of hatred to popular rights; and it was not long before an opportunity arose, for re-trying the old question with renewed prospects of success. France, actuated by sentiments for which she was in a great measure indebted to her communication with America, threw off the form of arbitrary government, for enduring which she had for a century been the common object of English mockery and scorn. She attempted to make a compact with the existing family, and found, as in England, that to make terms with *uningrafted* royalty, is only making an agreement with the wolf to keep the sheep. The king signed promises with one hand, and with the other invited foreign armies,—and was publicly executed for it, after the model which England had already given, and which she would probably follow again, if it were possible to conceive the reigning family supplanted by a Stuart who should repeat the cause.

It is needless to be minute. The foreigners, as all good men hoped, were driven back; and England, which had allowed itself to be inveigled into being a party to the unjust invasion,

was reduced to that necessity, which if nations were wise, they would know it was always their interest to pray for, however disagreeable to national vanity the immediate sensation. If a nation does not wish for discreditable peace, it should avoid unjust war. That every unjust war may be followed by a discreditable peace, is at least one half of the blessings a patriot can invoke upon his country.

But the war began again, with extreme injustice on the part of England, and with the object (avowed, if not at the moment, at a subsequent period) of checking the progress of opinions which could not be arrested during peace. And here commenced the misconduct and the misfortunes, of the country which had begun with such glorious justice and success. Little by little, it withdrew itself from the combat of opinion, and substituted one of brute strength in its stead; till at last, it became the mere property of the first of soldiers, and the struggle that began for the independence of nations, ended for knowing whether his mother's sons were to sit upon four boards covered with velvet, under the title of a throne. And then came a great military misfortune; incurred in a war abstractedly just, but incurred in great measure through the neglect of the principles of popular right in various accessory portions of the scene. Prodigious efforts were made to repair the loss; but the physical odds were too great, and the family which every village in France had sacrificed twenty of its children to keep out, as England had sacrificed hers to keep out the Bourbons and the Stuarts, was brought back by foreign arms. In a year the popular sovereign returned, and was received by the united nation, without a musquet being fired in support of his opponents. And here began the disgrace, which a follower of the house of Hanover would cheaply escape if he could make himself an Algerine. An agent of the Holy Alliance, rose in his place and said, that a million and a half of soldiers were ready to remove the nation's choice; and the people of England,—or a great and substantial part of them, among whom the remainder, if there was any, was scarcely to be discerned,—were mean enough, ignorant enough, traitors enough to their ancestors and to the principles by which alone they were creditably distinguished among the nations of Europe, to huzza for this great act of impious injustice, and throw back into the face of Providence the memory of a long history of benefits received, in the course of honourable struggles against similar oppression. It is not often that the just cause fails; but it did fail. There is no use in confusing the subject with the qualities of armies. The question with regard to England is, not whether the razor did or

did not cut well, but whether it was not employed in a detestable and murderous act. The question of morality is totally distinct from the merits of the machine; and the mind must approach to idiocy, which is unable to maintain the difference.

But when the French *William* was removed, the nation was still not brought so low, but that it could oblige the substituted individual to compound. And he compounded accordingly, by offering an engagement to adhere to certain modes of government, which were supposed to be most valued by the nation that was to submit to his embrace. The Charter was put forward, as the condition of his being endured;—it was the bribe which was to take the loathly bridegroom into the chamber of the belle. England—or at least those who unhappily had the keeping of her honour—became a party to the discreditable transaction, by engaging to hold the back-door open for the rescue, in case the bride, like her of Lammermoor, attempted to defend herself by the application of cold steel. But mean as was this,—shameful and degrading as it was to a nation, which had itself resisted, and with success, a similar espousal,—England *did not* engage to keep the back-door open, though the detested lover should break all his engagements, and should say, for instance, that the contract which he held out as the price of consent, he would withdraw next morning by the right that every maker of a contract has to break it. England was a base bawd; but not so base as this. There are degrees of shame in the dirtiest vocations; and the acknowledgment of turpitude in any given degree, does not amount to an investiture with that which may be greater.

The *Stuart* whom the English people had been mean and foolish enough to assist in establishing in France, deported himself as ill as he dared, and as well as he could not help. He put upon a gallant people and a brave army, the last insult of forcing them to march under the direction of the barbarians of the north, to invade another nation for the purpose of destroying constitutional freedom; and England, though not this time prominently assisting, was at hand to countenance the deed. He uttered from his ill-gotten throne a low falsehood, of precisely that nature and quality for which most languages reserve a term to convey the acme of opprobrium; and the Jacobite in England stood by, as he stands by now, to declare that 'nothing but malevolence' could doubt a royal word. Years of non-resistance gave boldness; and his successor, at the instigation of that readiest instrument of political degradation an established priesthood, undertook to make the nation sound once more the base string of humility.

Disgraceful agents of the vengeances of the intruded family, and men involved by public opinion in attempts at the assassination of the national sovereign like those encouraged by the Stuarts, were placed in the offices of the ministry; while on the army the experiment was tried, of placing it under the command of a deserter,—not a mere political turncoat, but one who had insinuated himself into a place of trust under the guarantee of honourable men, for the express purpose of deserting to the foreign enemy at the moment of a great national struggle, with arms and accoutrements. Military men in all countries stood aghast, to see that it was possible for men in arms to bend to such an infliction. The fierce spirit of soldierly brotherhood throughout the world, felt itself bearded and dishonoured; and the poorest sentinel was conscious of the insult to his craft. Under these circumstances there were positively men in England, who though pressed by no conqueror and urged on by no bayonet, volunteered to say that it was right, with such a ministry, to wait for *acts*. As if gross insult to every feeling of national honour and individual dignity, was not *an act*. Suppose in England, a man who had deserted to the French at Waterloo, was to be appointed to the Horse Guards,—*would that be an act?* The process of conviction may be slow; but God and nature in the end will vindicate the truth, that there is justice in national as well as personal relations, and that the true measure of right in all cases, is what men would willingly submit to for themselves.

To this experiment the French nation applied a determined and persevering resistance. The Chamber of Deputies, though filtered through every process which policy could invent for diminishing the operation of the national feeling, declared in terms which had no fault but that of being not sufficiently explicit, their refusal to co-operate with such a ministry. The head of the Bourbons dissolved the Chambers. All that was independent in France united in the determination to return the same men again. And here the question rests, and is to settle,—whether the will of an individual imposed by foreign arms is to reduce a great nation to the dregs of humiliation and political debasement, or the wishes of thirty-four millions of people are to hold him in check. The mighty question for which Englishmen fought and suffered, and which they, the first of men, had brought to a glorious termination in their own particular case,—is to be fought over again in France, and the confirmation or shaking of the English right is to hang on the result.

In the midst of this, the organ of the down-trodden party of arbitrary power in England puts forth a feeler to try the possi-

bility of helping its friends abroad. The Bourbons are openly and in direct terms invited to put down the Charter, which was the instrument of their admission into the unfortunate country on which their presence is inflicted; and the expectation is held out by implication, that England would assist in this act of choice baseness and set-apart iniquity. The organ of the English priesthood talks loudly, of 'buckling on their armour for another quarter of a century.' It will be the fault of the English people, if they have any armour to buckle on. When the members of an ecclesiastical establishment are thus put forward as the instigators of bloodshed and the advocates of arbitrary power, the people must be dull indeed who do not see in it the necessity of losing no fitting opportunity of reducing the gross temporalities of such a church, and bringing it to a state of depletion more consistent with its ghostly welfare.

And here let it be noted, that the struggle is one entirely of the Bourbons own bringing on. There has been no attempt to move them from the throne to which they waded through the best blood of France; all that can be produced is passive resistance to causeless insult and wanton injury. Our high church promises us a twenty-five years war, in pure *gaieté de cœur.* It seems to think that men live only to fight battles, for the relish that is given thereby to priestly dinners on a thanksgiving-day. With the true recklessness of men whose vocation is to enjoy, they leave to others the calculation of what might happen if fortune should take the opposite side.

When Napoleon marched into Russia, the man who should have advised either him or France to believe, that in less than two years his capital might be occupied by his enemies, would have been received with contempt and violence, like what would await the individual who should insinuate to the absolutists of Great Britain, that arms are doubtful, and that it is much easier to tell the issue of a war that has gone by, than of one that is to come. They think they have a divine right to success, and if things went ill, they would only have to multiply the fast-days in which they invoked the god of unjust wars against their enemies. History and experience are null to them; the heaviest mischances that have befallen unprincipled nations and arbitrary rulers, convey no lesson to the obtuseness of their organ. But there is an appeal from their insanity, to the good sense of the remainder of the community,—of that portion of it, who are sure to be present at the shaving of their own beard, and know that whatever may be the result, the benefit is for the absolutists, and the evil for themselves. To men of this kind—a cool and calculating generation, who love

peace and ensue it, because in war the blows are for them, and the glory for their betters,—to such as these, it will not seem a superfluous question to demand, whether, if England should persist in holding herself out as the patroness of arbitrary power throughout the earth, it is not evident that the result must at some time or other be either a disgraceful peace, or the settling of the question by the arrival of the forces of the free world in her capital, and paying for the bridge at Washington, and for the five hundred millions of francs levied on the French people as the price of resistance to their Stuart. It matters not what ravishing intervals may have intervened, or how many ensigns shall have greatly risen through all the gradations of command. It is of no consequence how many patrons of Cornish boroughs shall have adorned their offspring with naval epaulettes, of this or that magnitude of bullion, and dignity of twist. When such a consummation comes,—and come it will,—the white gaiters of the Guards will be only pipe-clay, and the puce-coloured coat of the Master of the Ceremonies will not be worth a flea. The quid of hard and bitter degradation, will be all that will be left for Englishmen to chew; and why not avoid all this, as Napoleon might have done, by letting well alone? But calculations of this kind are not learned in the thirty-nine articles, nor stumbled on in the Athanasian creed. Psalmody has no mention of them; and from "When the wicked man" till "two or three are gathered together," no vestiges of such a science are to be found. But still the question recurs, of why such counsellors are to travel beyond the limits of the homilies, and turn their hands to guiding nations to ruin and to shame.

And what, after all, are the reasons given, for involving two great nations in sanguinary contest? They will be found reducible to this;—that in France there is a Chamber of Deputies elected by the people. The qualification is so high already, as to reduce the electors to 80,000 for all France, being scarcely more than in four or five large towns in England. But the English absolutists cannot be content with this. There is popular election of some kind in France, and therefore the Reviewers and the Bourbons must march to put it down. The cause stated is an amusing one;—the Chamber is not in '*the desired harmony*.' Some people are of opinion that it *is* in harmony; at all events it is evident that it can carry a point by a majority of 40. Suppose that when the minister in England was in a minority of 17, it was proposed to bring in a foreign force, because the House of Commons was not in harmony.—But it is not in *the desired* harmony; by which is meant, that it does not agree to submit to the agents of the foreigner. If the Chamber could have been induced by fear or

temptation to give majorities of 40 the other way, does any body believe that any thing would have been heard of the want of harmony? Now the object of a Chamber or a House of Commons, is clearly that it shall have a voice; and the charge brought against the French Chamber is, that its voice is the wrong way. If this succeeds, how long will it be before the same charge may be brought against the House of Commons?

'It is an undoubted truth,' says the author [*Cottu*] quoted by the Quarterly Review, 'because it is founded in the nature of our being, that in every society, where there are rich and poor, the power *must* be vested in the rich, if the poor are to be prevented from swallowing up the wealthy."—*p.* 217.

The English people give this a point-blank denial, and affirm that they have learned by painful experience, that the difficulty is not to prevent the poor from robbing, but the rich; and that a virtual power *must* be vested in the poor, if the rich are to be prevented from plundering them at will.

'For the same reason,' he adds, 'in every community where we find privileges which are established and recognised by the laws, the government of the country *must* belong essentially to the privileged orders in question, provided those privileges are not to be overturned.' —*Id.*

If privileges mean the power of oppressing, the assertion is true. The people of England know *that*, as well as a Councillor of the *Cour Royale* can teach them.

The object of M. Cottu, and of the Quarterly Reviewers who assist him with their commentary, is to set up a point-blank despotism in the hands of the privileged orders and the priesthood, subject only to the slightest degree of popular interference which can act as a valve to the great boiler, and prevent the whole from blowing up. It is the arbitrary power which our forefathers demolished; with the simple substitution of 'church and privileged orders' for 'church and king.' The rules and regulations collected by experience for carrying on such impositions on this and other nations, appear under the name of 'that sagacity which, having stood the wear and tear 'of so many ages, is worth the whole march of modern intellect 'put together!'—*p.* 219. It is true enough. 'Naught's permanent among the human race,' but the desire of tyranny;——excepting always, the determination to resist it. Let the church look to it, that the march of intellect does not walk over her, as it has walked over other forms and modifications of badly managed power, in spite of the 'sagacity' which may have been handed down as an heir-loom through all the despotisms since Nimrod's.

But 'it is quite clear that the experiment of giving a constitutional form of government to France has not succeeded.' It is clear that the experiment of trying to have an agent of the foreigner upon the throne, with leave to bring back the old absolutism, has not succeeded. But not a fragment of evidence is there, that a king of honest views and patriotic feelings, might not have got over even the vice of his origin, and have filled the throne with at least as much of quiet as the Dutch and German sovereigns who have reigned in England. If the experiment of *giving* a constitutional government has failed, it has been because it was given to be broken;—it has been because the restored monarchs have walked in the way of the restored monarchs in our own country, and have thereby to all appearance secured themselves the winding-up of a similar ejectment.

'The leading fallacy of the present times, we should say, is the supposition that free institutions,—that is, the mere forms of a free government,—will of themselves engender a love of freedom,—and the knowledge how freedom is to be enjoyed.'—*p.* 223.

The Edinburgh Reviewers memorably exploded the here intended fraud—when they likened it to the recommendation of their grandmothers, that little boys should not go into the water till they have learned to swim.* There may be struggles, and some danger; but how is it ever to be learned, if my grandmother is always to have her way.

'Unless the enormous power [of a representative chamber] be, in its turn, checked on every side, by what, in mechanics, are termed antagonist forces, it ceases to be an engine of good, and becomes either a mere mockery, or, more probably, a source of tyranny. If its members be elected by universal suffrage, it is quite clear that only one interest will, in fact, be represented—that of the most numerous or lowest class; and the government must speedily merge in a democracy; while if its members be nominated by the commands of the sovereign, like the senate of Buonaparte, it becomes a mere tool in a despot's hand.'—*p.* 225.

It is sufficient to point out the enormous fallacy contained in that part of the above passage, which is directed to universal suffrage. To say that if the poor man's money is allowed to pass in the market as well as that of the rich, *only one interest* (that of the lowest class) *will be represented*,—would be just as true, as wise, and as decorous as the other. But if the reader proceeds, he will find where the shoe pinches. There is a sore want in France; a deadly hiatus. 'Our readers will, no doubt, anticipate that *we allude chiefly to a church establishment*, and to a

* Ed. Rev. No. LXXXIV. Art. 2. On Milton.

'hereditary aristocracy—neither of which, unfortunately, France 'now possesses, or, we fear, is likely to acquire in our time.' —*p.* 226. It has been very commonly understood, that France had both; and that large sums had been taken from the people, under the pressure of foreign armies, to secure their maintenance. But they are not yet of the right kind; they are not strong enough to insure the right way of thinking at elections.

But of this great and eminently important branch of a constitutional monarchy, France is not only entirely destitute;—by her laws relating to succession, and still more fatally, by the sentiments of the mass of the population, she is absolutely shut out from all near prospect [*how distressful!*] of enjoying an aristocracy worthy of the name. It is even worse, in some respects, in France than it is in America, where the laws leave men to appropriate their estates as they please—a privilege of which, it is true, very few avail themselves, or, indeed, can well avail themselves, seeing that the tide of public opinion is decidedly adverse to unequal distributions. But in France the laws dictate, despotically, the distribution, and, by obliging men to divide their property, not only contribute to split the whole country into potato-fields, but essentially diminish one of the highest motives to action, and, at all events, effectually prevent the growth of an aristocracy of wealth.' —*p.* 227.

France and America, and all countries which may aspire to be free, will be under obligations to the Quarterly Review for the unaffected manner in which it has given its sanction to their already formed opinions. 'Surely in vain is the net spread in the sight of any bird.' It must be one of those simple fowl which voyagers chronicle by names indicative of their stolidity, that would see the English priesthood spreading abroad its toils, and not smile at the innocence of its employment. Could not the Quarterly Reviewers put a little salt upon the tails of the Deputies; and persuade them to remove the laws which prevent men from starving their younger children, to compose an *aristocrate* in the eldest?

The Quarterly Review raves, when it thinks upon America. That glorious migration of British freedom into a land where delusion had as yet no root, calls up, as it ought to do, the bile of all, that hate freedom every where, and most at home.

'From the hour that, in an access of passion, they [the Americans] chose to fling themselves away from their king, and to relinquish the immense benefits arising from a government checked by a powerful aristocracy, and allied with a church establishment, and trusted exclusively to the democratical branch of the community, they have been doing nothing but propagating the species, and chopping down forests, without advancing the cause of good government, or of any branch of human knowledge, science, or art, one jot.'—*p.*237.

Upon what sack has this Falstaff fed, that he is grown so

had been confined to the royalists of France; and that no Englishman would have committed himself by its adoption. Is not a French journal written to be sold; and is it not in consequence addressed to a certain class, who it is hoped will buy? Are there royalists in France only because there is a paper called the *Drapeau Blanc;* and is it the *Constitutionnel* that has made all the constitutionalists since the Empire? 'The 'mass of the people, both in Paris and in the country, take 'their tone from these metropolitan journals: a very few active 'men lead the whole nation, and have, in fact, a monopoly of 'the manufacture of public sentiment.' They at all events lead the nation two ways; unless the matter of complaint is, that the people will not read the royalist journals, and insist on reading the others. But how does this agree with the assertion that the people are only led? Who leads them not to be led by the royalists; and why do not the royalists lead them the other way? If 'a small number of busy persons dictate to *la grande* '*nation* how it should feel, think, and act,'—why are not the royalists busy,—or, being busy, why is it without effect? The answer is too plain to be put in words. It is one of those cases where inspection is the best induction to the truth.

'One of two things must happen:—Charles X. will obtain a much greater share of power—or the people will usurp the sovereignty, and either overturn the throne by sheer force, as they did before, or reduce the wearer of the crown to a sort of president of their democracy.' —*p.* 234.

Hearken to the doctrine of the true church. An expelled family has been restored by foreign arms, as James *was not*; and when the people keep them within bounds, they 'usurp the sovereignty.' Truly it is easy to see which way the wind lies, with the constituents of the Quarterly Review. And here note the bitter error a nation commits, when under any pressure of circumstances, it allows a doubt or uncertainty to remain upon that corner-stone of all rational freedom, the brightest part of the British Constitution of the Revolution, *the sovereignty of the people.* The evil genius in the Arabian Nights takes refuge in a melon-seed in the figure of a worm, and the good genius his adversary omits picking up that single grain, and thereby condemns herself to an age of woe. The sovereignty of the people, on the occasion of the French Charter, *was that grain.* Absolutists and priests may rail; but the nation which, either directly or by implication, allows any doubt to exist on the situation of the source of sovereign power, has only treasured up for itself a future struggle, and deferred the hour of national independence and domestic peace.

'What we should like to see in France, as being most conducive to the advancement of its best interests, would be the restoration of the ancient authority of the crown, without its old attendant abuses. The days of privileged orders, unequal taxation, arbitrary imprisonments, forced services, and so on, are gone by, we hope for ever, and we have no reason to suppose that the Bourbons, or their friends, can possibly have the smallest wish to restore such manifest evils. But we are quite certain that any other military chief whom the French might call in to take the place of their legitimate monarch, would, as a matter of course, in imitation of Buonaparte, re-establish, with tenfold rigour, all those privileges and unjust exemptions—of which we hear so much when the 'ancien régime' is referred to, and so little when the iron period of the Empire is the subject of discussion.'—*p.* 239.

So would they reason for England, if they saw a prospect of success. They beg for their 'legitimate' monarch, the power of abuse, without the abuses. The spirit which placed the House of Hanover on the throne of England is not brought so low, but that enough can be found to throw a denial in their teeth, when they thus apply the word 'legitimate.' What, too, were the privileges and unjust exemptions established by Napoleon? Was not a noble who had served France, as good a noble as one who had fought against it? And was there not this difference, whatever were the evils,—that in one case they were the acts of a government established by the French people, and in the other case by foreigners? How long would the English endure their present ills, if they were the acts of a government imposed by foreign arms?

But the heart of the English Tory is not so hard as has been supposed. He also has his plan for advancing liberty in France; and what is it? That the king shall be put in possession of absolute power, the Charter abolished, the press restrained, and then 'the 'Bourbons will be compelled, as a matter of necessity, if not of 'choice, to relax gradually their authority, so as to allow the 'nation quite as much freedom of action as they can profit by.' —*p.* 239.

'We therefore hope and trust that the king and his present ministers may succeed, if such be their object, in establishing a censorship on the press, and likewise in acquiring so decided a preponderance in the Chamber of Deputies, that its existence as an independent body capable of bearding the monarchy, as it has recently done, shall be no longer recognised. This, we own, will be a virtual abolition of the Charter, but the question is obviously reduced to this:—shall the Monarchy, which is suitable to the country, be overthrown; or shall the Charter, which, in every possible view, is unsuitable to it, be abrogated?'—*p.* 239.

The English absolutists have thrown off the mask, and left

mankind an eternal lesson on the impossibility of peace or truce with the defenders of arbitrary power. Every free man in the civilized world is put on his defence, and called upon to be stirring for the preservation of all that he may wish to keep. A few years ago these same men harangued on the security of royal pledges, and the folly of suspicion; and now they call upon their puppet in France to break his faith and theirs, and to move forward against the liberties of the French people, with a full confidence in their exertions to support.

The Quarterly Review has addressed the Bourbons, and has done its best to bring on the moment of a European Revolution. Now hear how the other side, if it was in a situation to be equally listened to, would address itself to those it may concern.

To the people of France it would begin, by imploring them to believe,—That the spirit which placed the reigning family upon the throne of England, though sorely trampled on, is not extinct. That it would be a libel and a falsehood, which should represent the British people of the present generation, as a party to the scheme of their oppression. That the English nation has long since weighed for itself the fallacies with which it is sought to deceive the Continent, and has written its answer in the blood of one Stuart, and the exile of the rest. That though it is too true, that it gave its assistance to inflict on others what it had successfully resisted for itself, this was done under the influence of strong delusions, and not without a vigorous resistance on the part of the honest portion of the community; and that in the course of nearly half a century, the honesty has increased, and the delusions have passed away. That the body of sane Englishmen view with intense interest the repetition of their own struggle with the Stuart, in the country of their neighbours; and see in all its bearings, the vast concern they have in the success or failure of the contest. That the community of England of the present day, do not desire their aristocracy to have a garden of experiment in France, for the cultivation of slips of despotism to be transplanted among themselves. That on the contrary they know full well, there is a common interest and a common cause, and the battle of the English electors is being fought in the French Chamber. Evidence enough has been given of the desire of the French nation to live in quiet. But if this desire is finally in vain, and the French people are pushed by the activity of their oppressors to the necessity of physical resistance,—*then* they are exhorted to recollect the invincible strength which the hour of revolution gives to every nation;—to look at

their own history and England's;—to remember that all the nations of the European continent are secretly on their side, and that in each of these countries their adversaries have an enemy to contend with that none can quell, their own armies and deceived and insulted population;—to reflect, that till her leader's misconduct had caused the *people* of Europe to be against her, France was the right eye of the world, and that she has only to avoid the errors to resume the station;—to be persuaded, that civilized men every where are waiting like dogs of chase in the slips, for the signal to overturn the existing oppression which weighs upon the world, and move forward in the great cause, the *grande pensée*, of the INDEPENDENCE OF NATIONS. Mankind is sick of asking the Cossacks of the Don, whether a constitution may exist in Portugal, and which way the French Chamber shall vote upon the ministry. It is time that all this should end; but, divided as they are, individual nations must hold back, till some irresistible necessity appears for action. The European continent is one great mass of fireworks, waiting only for the match to be applied in any part; and if the Bourbons insist on doing it, there is no fear but they will have light to set their hoods, in any place to which they may carry their repentance and their punishment. If foreigners interfere, old men in England will become young, at hearing again how a gallant nation has chased its enemies from post to post,—and the banner of independence flown from capital to capital, till it has driven the barbarians into their frightful deserts, and saved the British people from being twitted by another Castlereagh, with the impossibility of resistance to a Holy Alliance minister. They will not forget *Poland;* the first battalion that marches against the existing despotisms in Europe, will write Poland on its colours. France will know how to employ the legacy of her great, though erring, chief; and in two years from the suppression of the Charter, a French army may be looked for on the Niemen. All this we shall owe the Bourbons, and their English counsellors. May heaven protect the Bourbons, the best friends of liberty throughout the world, and send them no lack of priests to prompt them, in their country or in ours!

To the oppressed nations of the Continent, the same voice would call, and exhort them to be patient a little longer;—to avoid all insulated efforts;—to husband their means and their men;—to bow the head for the present, in full assurance that they shall ere long carry it proudly in the presence of their enemies;—to cultivate a general system of holding back, as knowing that the difficulty is not to act but to keep men from acting, and that their adversaries are burning to give the signal,

which will loose the imprisoned angels, and give scope to the energies of religious and civil liberty throughout the world. The time is not yet; nor till the enemy shall chuse to move against what freedom there is left.

To the people of England it would cry aloud, to look to the example of their ancestors; to ask themselves what happiness, what honour, what advantage, they and each of them have derived or will derive, from making themselves the engines of the arbitrary power their fathers trampled on. It would exhort them to recollect, that history and experience are not lost upon the wise; that Providence has determined that he who would reap in summer, must sow in winter; and that all human good, or escape from evil, is held out as the prize of foresight and exertion. The people of England have not a Stuart; and can bestir themselves if they will. It is for them to judge, whether it is not high time to be up and be doing. If this activity is unpleasing any where, the blame is with those who chose to beat the drum ecclesiastic in England for the Stuart in France. The existing race of Englishmen have lived through enough of history, to know the way in which a ministry of hacknied absolutists, if such should hold the reins when the time for decision comes, would push them to its purpose. At the best, it would be insidious neutrality, ending in pouncing on the cause of freedom in the most vulnerable point. The only chance of the English people, is to *prevent*. Has the actual ministry taken the reasonable measures, to prevent mischief so far as in it lies; or is it pushing the French Stuart to his attempt, in calculation on the result? Many have vehemently suspected the latter; and when men lie under suspicion and take not the reasonable course to obviate it, fools only are any longer open to be deceived. Has the ministry, for instance, represented to the French royalists, that if they invade the Charter, the contemplated object of agreement, the *casus fœderis*, with England is removed? If it has not, why has it not? and why should the English people tempt the chicanery of absolutism in their own camp to try its chance? To destroy its hopes, they have only to speak out, in those ways which, through the exertions of their forefathers, they happily possess. Let them approach the House of Commons and say to it,—That its Petitioners are deeply interested in the preservation of the principle which led to the removal of the house of Stuart, and the placing the house of Hanover upon the British throne. That the Petitioners believe the essence of this principle to consist in the avowal of the right of a nation to remove a king who breaks his contract with the people, and the illegitimacy of any government established by foreign force,

That the Petitioners apprehend that an adhesion to this principle forms the bond of allegiance under the British Crown, and that any person who should advise or abet the infraction of the same, would be justly subject to the penalties of treason. That next to invading the principle at home, the highest degree of crime is the invading it abroad; and the Petitioners conceive that the establishing or assisting to establish any king or family in a foreign country, against the will of the people of such country, constitutes an invasion as aforesaid. That the Petitioners have grievously suffered, and are now suffering, through the breaches made on this principle by past ministers; and are deeply anxious that their sufferings should not be increased, either by further pecuniary burthens, or by the incurring those dangers and evils which would arise in the present day, from an infraction of the bond of national allegiance in Great Britain. That the Petitioners well know, that at the conclusion of the late war, a compact distinguished by the title of the Charter was entered into between the head of the family of Bourbon and the French people, and as such was the means of entry and establishment of the said family on the throne of France, Great Britain being in certain ways and to certain purposes a party to the same, and more particularly in respect of certain guarantees touching the disposal and maintenance of the Belgic provinces previously making part of the French territory. That they are further aware, that at the present moment an agitation exists in France, not arising from any attempt on the part of the French people to abolish or remove such compact or Charter, but from attempts on the part of the restored family or their advisers, to alter the construction or interpretation of the same, in manner that has not prevailed at any previous time since the acceptance of the compact. That the Petitioners and others, for the preservation of their just interests and the allaying of their just fears as herein stated, are most anxious to be informed, whether the ministers of the Crown have taken such precautionary steps as are in their power, for assuring and impressing on the family of Bourbon now ruling in France or their advisers, that in the event of any infraction on their part, of the compact or Charter whereto England was or is by agreement in certain ways and to certain purposes a party, all bond or obligation dependent on such agreement, so far as such family aforesaid or their advisers should in virtue thereof expect or demand aid, assistance, or countenance from England, will be *ipso facto* null and void. That the Petitioners therefore pray the Honourable House, to take such measures, and call for such information and declarations on the part of the ministers and advisers of the Crown, as shall

tend to relieve the Petitioners from their just apprehensions in the matters above set forth.—Let them do this, or something of like import. Let them do it wherever ten men are gathered together; and then if their children are slaughtered in future wars against the rights of nations, and their property loaded with double debt for the same dishonourable purpose, they will at least have the satisfaction of remembering they tried to hinder it. Let the people every where, forget minor disputes, and give their support to any leaders who will lead the right way. The English aristocracy are not so bad. Those who know them, know them to be gallant in field and pleasant in hall; in council, too, not insensible to the honour of being the best-born citizens in a free state. If any of them will stand up in their places for the independence of nations, they will be followed as their fathers were. What is an English nobleman, under a Holy Alliance government? Let them show themselves; and the Commons will not be backward to follow where they lead. Free men do not stand upon family differences, when the object is to oppose a common despotism.

Postscript to the Article on the Ballot.

The article on The Ballot was printed off before the debate in the House of Commons of the 28th of May. But it is believed that no argument was used on that occasion which has not been anticipated and answered: and the following interesting extract is submitted as illustrative of the benefit of secret suffrage in practical operation.

'It is customary in the Borough of Limmington, in Hampshire to elect by Ballot: the manner is to give to every electing Burgess (their number being limited and known) a different coloured ball for every competitor, each colour being respectively appropriated to the several competitors; as suppose there should be three candidates, each elector has three several balls given to him, which he so manages as to keep only that in his hand, which, by its colour, belongs to the person he intends to choose: this being inclosed in his hand, he puts it into a close box made for the purpose, leaving no possibility to any one to detect what coloured ball he put into it. Thus each having put in his ball according to his vote, the balls of one colour are separated from those of another colour, and so, according to the majority of balls of one colour, the return is made. This method I know to be of great advantage where it is made use of: it prevents animosities and distaste, and very much assists that freedom which ought to be in elections. No man in this way needs fear the disobliging of his landlord, or customer, or benefactor: for it can by no means be discovered how he

gave his vote, if he will but keep his own counsel. If this or some such device were appointed to be made use of in every Borough over all the Kingdom, I am persuaded it would abundantly answer expectation, in the many advantages which would attend it; and perhaps it would be of equal benefit in all other elections, as well as in those of Members of Parliament, if the Government were so disposed as to fill up all vacancies, whether in Church or State, by the plurality of votes appointed to elect; and I am apt to believe that succeeding ages may reduce it into a law, that Privy Councillors shall be chosen by the Lords; Judges by the Gentlemen of the Bar; Bishops by their Deans and Chapters; Ministers by their Parishioners; Fellows and Masters of Colleges by the Graduates of the same Colleges; Sheriffs by the Gentry of the County; Offices of Trust in the State by the Parliament; the Parliament by Freeholders of 40*l.* per Annum, and all by Ballot.'

Vide "Some remarks upon Government, and particularly upon the establishment of the English Monarchy, relating to this present juncture." By a Member of the Great Convention, holden at Westminster, 22nd January 1688-9.—*State Tracts, time of Will. 3rd. vol. i. p.* 161.

ERRATUM in No. XXIV. In the Postscript to the Article on the Instrument of Exchange, p. 527, line 15 from the bottom, for by AE *read* by AF.

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THE

WESTMINSTER REVIEW.

OCTOBER, 1830.

Art. I.—*Analysis of the Phenomena of the Human Mind.* By James Mill, Esq. In 2 Vols. London. Baldwin and Cradock. 1829.

METAPHYSICS! a word of terror to most people; and no wonder. A science which professed to treat of "the principles and causes of all things existing," and the principal parts of which were divided into "Ontology, Cosmology, Anthroposophy, Psychology, Pneumatology, and Metaphysical Theology," might justify a little alarm. 'Being', 'essence,' 'substance,' 'mode' 'quality,' 'attribute,' 'essential,' 'accidental,' terms that confronted him at his very entrance into the first division of this magnificent and mysterious temple, were not remarkably calculated to abate the apprehension of a timid student. To examine into "the essence of the world, and all that it contains; into its eternal laws, into the nature of matter, into the nature of motion, into the nature of tangible bodies, into their attributes and adjuncts, into all that can be known of them by reasoning and experience, and more especially, whether God, in creating the world, must necessarily have created the best possible world, and whether this would be so in fact;" was, it must be confessed, to open a somewhat extensive and difficult field of speculation. To inquire, "whether the essence of the mind be distinct from its existence; whether, in that case, its essence might not subsist when it had no actual existence, and if so, then what are all the qualities inherent in it as a nonentity"—it would appear, was the object of Psychology.

Then there was a distinct science termed Angelography, the purpose of which was, to discover the properties of spirit; to ascertain in what its effective existence consists; to determine, "whether angels pass from one point of space to another, without passing through the intermediate points, whether they can visibly discern objects in the dark? whether more than one can exist at the same moment in the same physical point? whether they can exist in a perfect vacuum with any relation to the absolute corporeal void; and whether, if an angel were in vacuo, the void could still truly be termed perfect:" while the questions to be determined by Metaphysical Theology were, "the nature of the Divine Essence; whether the Deity exist in imaginary space as much as in the space that is real, whether he can cause a mode to exist without a substance? whether, in knowing all things, he knows universals, or only things singular? whether he love a possible unexisting angel better than an actual existing insect?"

There can be little doubt, that to most people of the present day, a clear solution of some of these questions would appear somewhat difficult. Into the minds of others, it is possible that a suspicion might enter, that even could the solution be rendered quite perfect, it would yield but little profit. But such was not the ancient opinion. It cannot be denied that there was a time when the acutest minds conceived that in devoting themselves to speculations of this nature, they were pursuing the truest and sublimest philosophy by the best possible means, and when the prosecution of such inquiries with extraordinary subtlety and great zeal, was rewarded with a reverence amounting to idolatry. But, because this was called Metaphysics, and because the labour and ingenuity spent upon such speculations were worse than useless, shall we conclude that all inquiry into the constitution of the human mind is idle, and that the hope of deriving any real and valuable knowledge from the cultivation of mental philosophy is a delusion. This is the inference which some persons would deduce, and the practical lesson which they would have us learn from the record which history has handed down to us of ancient error and folly.

Precisely what Alchemy is to modern Chemistry, ancient Metaphysics is to Mental Science. The objects at which alchemy aimed, and the jargon which constituted its only language, do not afford a greater contrast to the exact and useful researches of modern chemistry, and the clearness and precision of its present nomenclature, than the true objects of mental science, the simplicity and definiteness of its language,

exhibit to the metaphysical speculations of past ages, and the jargon in which the vain disputations they produced were carried on; a jargon which was at once the easy refuge of ignorance, and the inevitable and the constant source of mental delusion.

The search after the philosopher's stone, after the powder of projection, after the alcahest or general solvent, after the elixir of life, after the universal medicine—in a word, after the stone of transmutation, and the medicine of immortality—a search which the strongest intellects of those days pursued with the most intense and unremitting application; the cultivation of that mysterious and delusive art which has been emphatically said to be without principle, beginning in falsehood, proceeding in labour, and ending in beggary, and the chimeras of which were darkly shadowed forth under the emblems of "the lion," the "dragon," "the panther," "the flying bird," "the red eagle," "the crow," "the toad,"—that art which enchanted the credulous, perplexed the acute, silenced the sceptical, beggared the rich, and enriched the knavish—that art was the precursor and the origin of a science which has already changed in some degree the face of nature, and completely altered the condition of civilized society; which has multiplied our national resources beyond the power of calculation; "brought the treasures of the abyss to the surface of the earth; given the feeble arm of man the momentum of an Afrite; commanded manufactures to arise, as the rod of the prophet produced water in the desert; afforded the means of dispensing with that time and tide which wait for no man, and with its cloudy machinery produced a change in the world, the effects of which, extraordinary as they are, are perhaps only now beginning to be felt."

In like manner the art of disputation, the art of making subtle and barren distinctions, and of practising upon the mind to an extent, and with a success, which now excites our astonishment, the cheat of words; an art to which some of the strongest and acutest intellects were for ages fondly and exclusively devoted, this art, which instead of strengthening and enlightening, darkened and corrupted the understanding, was the precursor and the origin of a science which is destined to produce in the intellectual and the moral state of man, an equally stupendous, and an incomparably more felicitous, change than chemistry, with all its triumphs, can ultimately achieve in his physical condition.

This master science which has for its object to show what the human mind is, what its capacities are, what are the best means of improving them, and what are the sources from which

their truest and their most permanent gratifications must flow, is divided into two great branches—the intellectual and the moral: the first includes an exposition of the phenomena of the mind: the second a consideration of those phenomena as pleasurable or painful, as good or evil. The one relates to the powers of the mind; the other to their direction: the first is called mental, the second moral philosophy.

We purpose to avail ourselves of the present occasion to offer an illustration or two of the usefulness of attending to the first branch of this science, which, it is obvious, must be understood before the second can be studied with any reasonable hope of success.

The object of mental is precisely the same as that of natural science: but what is the object of natural science? To ascertain phenomena and their relations. Suppose the object of the natural philosopher be to find out what a substance is, or, as it is commonly expressed, to ascertain its nature, what has he to do? First, to discover the number of elements of which it is composed, and secondly, the various changes which it is capable of undergoing from other bodies, or which it is capable of producing in other bodies, together with the order in which such changes take place; that is, to ascertain among these changes what events are antecedents and what consequents.

Material objects, as ordinarily presented to us, consist of aggregates. Of the separate bodies that compose the mass we have commonly no perception: we distinguish only the mass. Now one of the first and most important objects of science is to make us acquainted with these separate bodies. This object it accomplishes by the process termed Analysis. Analysis separates the different bodies which co-exist in a substance, and exhibits them in their separate state. This is beautifully illustrated by the manner in which chemistry accomplishes this object, by means of that great instrument with which it works, the process termed decomposition. Of substances that are really compound, but that appear simple, chemical decomposition demonstrates the true constitution by exhibiting in a separate state their component elements. Hence it has been said by Dr. Brown, with that felicity of illustration for which he is often so eminently distinguished, that chemistry, considered as a source of knowledge, is an instrument precisely analogous to the microscope, doing for us just what the microscope accomplishes, enabling us to see the small objects which are constantly before us, but which the imperfection of our senses renders us incapable of distinguishing. Had our eyes been better, chemistry would have been without usefulness and even

without object, since we should at once have seen what its processes alone can now reveal to us. Analysis, therefore, may be truly said to be the art of the blind: its necessity arises from the imperfection of sense, and its usefulness consists in remedying the defect of sense.

From this view of the nature and operation of analysis we are led to perceive the exact object of scientific research, and to understand what it accomplishes, and *only* what it accomplishes when successful. Its object is, to ascertain the elements of which a substance is composed, and the series of changes of which it is the subject or the agent: for to know perfectly all the separate bodies which co-exist in a substance, and all the different modes in which it is capable of affecting other substances and of being affected by them, is to have the most perfect knowledge of that substance which the human mind can acquire.

And this precisely is the object of mental science. But here a difficulty occurs. The mind, say some, is simple, the mind is indivisible, the mind does not consist of parts, the mind is not made up of different elements that can be separated, precipitated, dissected and what not; the mind is one. The very idea of applying such a process as that of analysis to the mind is therefore in itself absurd. Under the name of spiritualism or of some other term of the like signification or rather of no signification,—this we apprehend is a view which is, at present, very commonly taken of this subject.

A slight attention to the business of Naming would dissipate the confusion of ideas in which most objections of this nature have their origin, and would set the matter in its true light.

As we perceive chiefly aggregates, we have constant occasion to speak of aggregates. We must therefore of necessity possess marks by which these aggregates may be denoted. The invention of such marks is the business of language, and language has devised an abundance of them under the denomination of general terms; the word body, for example, is one of these marks, one of these general terms: the word mind is another: each of these terms includes a large aggregate.

The human body is made up of a number of organized substances; these substances are moulded into distinct and various forms,—thus constituting definite structures which are termed organs: these organs are endowed with the power of performing specific actions, which are called functions. Now all these structures and functions are included and expressed by the single term, "body;" yet an analysis of what is included in this term, finds abundance of employment for two extensive branches of science—anatomy and physiology.

In like manner the human mind is made up of a number of sensations, ideas, feelings, affections, passions; that is, it is capable of existing in different states of consciousness: or it is susceptible of various affections. All these different states—all these various affections form one great aggregate which are included under the general term, Mind. But some of these states are simple, others are complex; some are pleasurable, others are painful; some are good, others are bad; some are to be cherished and strengthened by all possible means; others are to be weakened and discouraged by all the expedients that can be brought into operation. Analysis, therefore, is a process which is applicable to the human mind; and which when actually applied to it, is found to open a field of inquiry as extensive as, and far more difficult than, that afforded by an examination into the constitution of the body; and which, like the former, finds abundance of occupation for two great branches of science, mental and moral philosophy.

There are then mental as well as physical aggregates, and the business of the mental philosopher is to deal with these mental aggregates just as the natural philosopher deals with the physical. The states or affections of the mind at any given moment constituting the consciousness of that moment, are generally exceedingly complex. There is no chemical substance, into whatever number of elements it is capable of being resolved, which possesses a more compound nature than most of the thoughts that pass through the mind, and all the feelings that agitate the heart. Many of these affections consist of entire trains of thought which have recurred again and again; and the point of consciousness, constituting the particular affection of the moment, could not have existed without the previous existence of all these trains, with all their repetitions. By mental analysis, these complex states are capable of being resolved into more simple states; the most simple constitute the elements of which the complex are composed: the laws according to which these elements combine, so as to form the complex states, are capable of being determined, and the order in which, when formed, they succeed each other, is capable of being ascertained. And to know all this, to know all the elements which enter into the composition of all the complex states of thought and feeling, of which our varied consciousness consists,—to know the laws by which these combinations are formed,—to know the order in which they succeed each other,—to know what antecedents are invariably followed by what consequents,—is to know the mind. To be able to obtain this species of knowledge indeed, to be able to make for ourselves the requisite analysis, in any particular case,

with promptitude and accuracy, is a power which can be acquired only by diligent study and frequent exercise, but which to have once acquired, is to have obtained the mastery over the mind.

We do not doubt that many of our readers will demand how? They will ask, what relation can there be between the knowledge of the phenomena and the command of them? Admitting that without the knowledge there cannot be the command, does the knowledge ensure the command?

The knowledge of steam, the construction of the steam-engine, and the application of it to the Calais Packet, do not ensure to any man that on any given day he will go by that packet from London to Calais: but at all events, in knowing that there is such a packet, the means of going from London to Calais are known to every man. To have analysed, in the most perfect manner, a mental combination; to have shown the process by which that combination is effected; to have expounded the laws by which, after the combination is formed, it succeeds to other combinations, and causes other combinations to succeed to it, does not ensure that if it be pleasurable and good, the proper expedients will be adopted to render it as constantly and powerfully present to the mind as possible; or, on the other hand, that if it be painful and evil, the proper expedients will be adopted to render it as constantly absent or as feebly present as possible. To do that is the business, not of the mental philosopher, but of the moral instructor: and to form the habit of doing it with regard to a great number of mental states, is a main object, and an unspeakably important object of education. In the mean time, by performing such an analysis, the mental philosopher does two things for the moral instructor—he furnishes him with an instrument, and at the same time teaches him how to use it. Were mental analyses performed with the sincere and earnest desire to turn them to this practical account, and were those who are engaged in the business of education sincerely and earnestly to endeavour to avail themselves of such helps when placed within their reach—were this done with regard to all the mental phenomena which most materially influence men's conduct and happiness, let any one set himself to imagine (it will be an instructive employment) what the intellectual and the moral state of large numbers of human beings would speedily become.

And this train of thought brings us to another objection, which is at the same time a very common and a very old one; namely, that, after all, knowledge is not virtue: that every body knows more than any body does: that what is wanted is a

commanding motive, a sure and steady impulse to do, not a better knowledge of what is right to be done.

Clear, exact, certain knowledge, is itself that commanding motive; of itself affords that sure and steady impulse. The difficulty is, to get the knowledge with the requisite clearness, exactness, certainty. The moment this is obtained, all difficulty is at an end: the actions of the man may be calculated with as much certainty as the mechanist can calculate the movements of any part of his machine.

That knowledge is virtue, is an aphorism, therefore, that contains a no less certain, and a far more profound and sublime truth, than the more celebrated and less-doubted aphorism, that "knowledge is power." The clear, exact, and certain knowledge of what is conducive to happiness, in the truest and most comprehensive sense of that term, as surely determines the course of conduct which is denominated virtuous (as far as that knowledge extends) as the most perfect acquaintance with any given physical phenomena can ensure the production of any given physical result. Men are no more capable of doing voluntarily what they are CERTAIN will involve them in misery, than a stone is capable, of its own accord, of flying upwards. Were it otherwise, human beings would possess no moral nature, and would be capable of no moral conduct. Mental and moral antecedents, mental and moral consequents, are as fixed and invariable as physical, and in some cases at least, are capable of being ascertained with equal certainty. And as no man voluntarily thrusts his hand into the fire, because no man is ignorant that such an act will occasion him useless suffering, so no man does, and no man is capable of doing, any moral action which he *knows* will *as surely* occasion him a preponderance of intense pain, as that fire will burn. The physical antecedents that produce pain are in general well known to every one, and therefore, as far as avoidance is possible, they are avoided: but the mental and the moral antecedents that produce pain are sometimes not well known: with regard to all that are not well known, the perception of the certainty of the sequence can be neither universal nor irresistible. In all their true interests, intellectual, moral, and political, men require to be instructed, and the necessity of mental and moral science is founded in this very want of man's nature. Nevertheless, the circumstances that invariably promote those interests, the circumstances that invariably counteract them, are as uniform as those that produce any physical phenomena: some of these circumstances are already ascertained: as far as they are ascertained, the knowledge of them is capable of being com-

municated: with regard to all these known mental and moral antecedents and consequents, at least, it must be possible as strongly to associate in the mind the idea of invariableness of relation, as with those that are purely physical. To teach the student for his own sake, and to teach the instructor for the sake of others, with regard to what mental and moral states this is to be done, and how it is to be done, is the ultimate object of this science. The full power of education to communicate this highest kind of instruction, has never yet been tried. When shall we see it tried upon our youth in the public institutions of our country?

There is another way in which mental science is capable of influencing human happiness, to a far greater extent than is commonly apprehended; namely, by rendering familiar to the mind, the sources of pleasurable or of painful emotions in others, and by regulating, in conformity to that knowledge, the external deportment. This acquaintance with mental phenomena affords the only true and solid foundation of politeness, if by politeness be meant the manner of conducting the business of life, so as to give the least pain and the greatest pleasure. The man whose feelings are refined and delicate, and whose manners the habitual cultivation of such feelings has polished, exerts the charm over others for which he is distinguished, in consequence of possessing a quick perception of what will produce, in those with whom he converses, agreeable or painful trains of thought and feeling, and an exquisite tact in exciting the former, and in avoiding the latter: a perception and tact which cannot have been acquired without careful attention to the impressions occasioned by slight modifications of discourse and deportment; a look, an accent, a tone, a gesture. Chesterfield, who did not wholly neglect the mental phenomena, regarded them in a much less philosophical, and therefore in a much less perfect manner (perfect for his purpose) than was requisite for the acquisition of politeness, in this its truest and highest sense: on the other hand, the aristocracy occupy themselves exclusively about the mere ceremonials of behaviour. And what is the result? A pleasing exterior, which is compatible with the constant indulgence of the lowest and most vulgar feelings of a base nature. If some anecdotes which are told of the late "first gentleman in Europe" be true, a slight analysis of the impressions that must have been produced by the actions related, would prove that he possessed a mind essentially and grossly vulgar; and were the analysis extended to the effects occasioned by the admitted practices of his admirers, who assume to take the lead in forming the manners of the people, the same charge

would be substantiated against them. He only is a gentleman whose manners and whose feelings are gentle: whose manners are gentle, because they are the result of refined tastes, and whose feelings are gentle, because the habit of studying the gratification of others, and of postponing his own, has rendered his heart benignant.

But the practical usefulness of mental science, to which it was our wish to direct particular attention, suggests considerations of a very different class; and has relation to this science especially as the science of analysis. The object of analysis, as we have seen, is to ascertain the separate component elements of which any aggregate is formed. Now the importance of making such analyses, in the ordinary business of life, is unspeakably greater than is commonly understood, and the want of ability to make them by educated, nay even by distinguished men, is incredible; the want of ability to make them being established by the fact, that they do not make them, even on occasions on which they seem to be in earnest to make them, and on which, at all events, it is of the utmost importance that they should be made.

Who can think of the word *legislation* without seeing the constant necessity there is for the most exact analysis in this science; without seeing the terrible evils that must arise if here things that differ be not discriminated, and if, consequently, the same rule be applied to these different things. Who can think of the immensity of the interests that come for consideration before the legislator, that are decided for good or evil by him; the number of human beings whose happiness or misery is influenced, and the degree in which it is influenced, by the wisdom or the folly of his decision; the extent to which the energies of a whole nation may be repressed, and its progress in civilization, in wealth, in liberty, in virtue, in happiness, in good of every kind, intellectual, moral, and political, be retarded, century after century, by his want of the power of discrimination, by his applying the same rule to different things, by his inconclusive inferences; in a word, by bad logic acting upon false facts: what mind is capacious enough to take into its view the suffering that in time past has had its origin in this source? Who can think of the minds of our actual legislators, and say that we are better off now? Who can think of the means by which they are trained, or rather of the absolute and entire neglect of all attempts to train them, and imagine that there is any thing in operation calculated to mend our condition. And what is the fact? Are our public men good analysts? Are they excellent appreciators of evidence? Do they indicate

remarkable acuteness in the detection of fallacies? Do they exemplify extraordinary soundness of judgment in the deduction of conclusions? Do they give habitual proof that they have delivered themselves from the delusion and the thraldom of words? Take up any morning newspaper: read the report it may chance to contain of their most matured thoughts on any given subject—on the Corn-laws for example, on Free Trade, on Parliamentary Reform, on the Vote by Ballot; look at the clearness and comprehensiveness of their views; at the accuracy and extent of their facts; at the acuteness and soundness of their inferences—what would be the impression left on the mind of any discerning man by such a course of investigation? much the same, we apprehend, as would be produced by a perusal of the writings of the men who would have the minds of these legislators remain for ever as they are; who advocate their worst legislative measures, and who make it a fundamental objection to certain views of government, and to the adoption, on the part of the governed, of certain securities against mis-government which such views suggest, that the views, and securities in question have their origin in a knowledge of human nature, and are wholly unworthy of attention, because they are merely adapted to counteract certain propensities of human nature. Such senators are worthy of such apologists! But the community to which such arguments are offered,—what must the proposers think of *its* state of knowledge?

Even Mr. Brougham, an advocate for the schoolmaster, and, through him, a friend to the people, at a meeting lately held in Yorkshire, stated, that he was a friend to parliamentary reform; that he was a friend to the extension of the right to vote to inhabitant householders; that he was even a friend to triennial parliaments; but that he was not a friend to voting by ballot: that is, this man of experience presumed so much upon the want of knowledge, or the want of logic, in the worthy electors of the county of Yorkshire, as to venture to tell them, at the very moment he was soliciting them to return him to parliament as their representative, that with regard to a public measure, which he deemed to be of paramount importance, he was indeed a friend to the end, but not to the means to the end.

A lax habit of thinking leads to loose conduct; he who habitually neglects mental, will not be apt to discern moral distinctions; and the man who cannot think closely, is incapable, from the very constitution of his mind, not to say of exalted, but even of rigid and steady virtue? Do we find the converse and the confutation of this in the pure and elevated morality of our public men? Do we find in them a practical proof that it is

possible for loose and feeble thought to contract an alliance with sturdy and resolute virtue? Virtue in public men! The incongruity is not greater in the idea of chastity in public women! Public virtue! They themselves laugh at it. The man who in their presence should pretend to it, or speak as though he sincerely expected it, to a certainty would be set down by them as a fool or a knave. Were there any morality left in the country,—were there even any sense of public shame,—the language which, at the very moment we are writing, is held by some members of parliament, and the transactions which are openly carried on by others, in every part of Great Britain, would cover the nation with humiliation as with a garment.

At a public meeting recently held at Birmingham, Sir Francis Burdett is reported to have said, that parliament is so corrupt that the most ingenious man would find it impossible to devise a plan which should so invariably operate against the interests of the people! What does this language, being interpreted, signify? That public men of the present day are so corrupt that they do, by their actual conduct, invariably betray the trust reposed in them in a more perfect manner than would be possible under any other circumstances that could be devised, even though the cleverest man should set himself to devise them! The practical comment on this declaration has been recently afforded by the conduct both of candidates and electors in numerous parts of the country. "The vending of seats by aristocrats is becoming notorious to all: it would argue an ignorance of human nature to suppose that the example does not operate upon needy electors. We find accordingly boroughs that were accustomed to return candidates of stated principles, and at a moderate expense, proclaiming openly their readiness to sell themselves to the best bidder. Rochester, for instance, which used to send members to parliament for a few hundred pounds, now contains a body of electors, who have published handbills, testifying that their minds are open to conviction, and their pockets to corruption. Similar examples are rife, and we need only refer our readers to the advertisements in the papers from the electors of Sudbury, Taunton, Ipswich, Stafford, Coventry," &c.*

How can we reap if we do not sow? Where are our minds disciplined? Where are our consciences bred? We have indeed colleges at Oxford and at Cambridge, and from these ancient seats of learning, our modern legislators still

* Examiner, August 1, 1830.

come; but of the philosophy of mind, and of the philosophy of morals, no sound is heard in these venerable and venerated walls. Some time ago an attempt was made at one of them to teach the youth the foundation of morals, private and public; but the attempt did not succeed; and the practice has gone into desuetude, which is the more to be regretted, since the beneficial influence of the effort, while it lasted, must have been admirable, as may be inferred from the record which the professor himself has left us of its practical tendency in his chapters on Church Establishments, and on Subscription to Articles, and in his own declaration, that for himself he could not afford to keep a conscience.

But if the law-maker be thus deficient in all the mental and moral qualities which fit him for his office, what is the case with the practitioner of the law? "With minds of every class," says Mr. Bentham, "the mind of the lawyer has to deal. Of the structure of the human mind what does the lawyer know? Exactly what the grub knows of the bud it preys upon."

The great body of lawyers, it would seem, are Realists: for they mistake names for entities, and blindly follow out in practice all the consequences that would happen were the identity of the name and the identity of the thing invariably coincident. They include, for example, under a particular name a certain set of circumstances; should this name chance to be assigned to a different set of circumstances, *that*, in the apprehension of the lawyer, alters in no degree the nature of the case; he goes on to attach to this second set of circumstances the same consequences, whatever they may be, which were previously attached to the first. Take for example the word Monopoly. Formerly it was not unusual to purchase the exclusive privilege of selling certain commodities to the people, at what price the purchaser of the privilege chose; this privilege was secured to its purchaser by a royal instrument called a patent, the privilege itself being called a monopoly. In consequence of the mischiefs produced by these monopolies, they became odious to the people; in process of time they became odious also "in the eye of the law." The inventor of a piece of mechanism claimed the exclusive use of his machine for a certain time, as a compensation for the labour of invention, and as a reward for the benefit conferred by its means on the community. His claim was granted; the instrument securing to him the privilege was called a patent; and another privilege secured by a patent having already got the name of monopoly, this privilege was also called a monopoly. What was the effect on the lawyer's

mind of calling these two things by the same name? To make him confound their nature; to induce him to attach to the second set of circumstances, the same consequences that he found attached to the first.

If a person fashion a bust from a piece of clay, the result of this mental labour is deemed by the legislator, and is called by the lawyer, "a production of genius," it is "a work of art," it is made the subject of copy-right; but if he fashion from the same substance an instrument which is capable of some useful application to the arts, of abridging, for instance, to a great extent the time, the labour, and the cost spent in the production of some article of manufacture or commerce, this is not a production of genius, this is not a work of art, this does not entitle the inventor to the fruits of his labour; this is merely a "mechanical invention"; if the legislator give him any exclusive interest in it, it is granted, not as a matter of right, but as a privilege; the lawyer, in his turn, strikes upon this privilege the name monopoly; monopolies are injurious to the people, monopolies are odious in the eye of the law; it follows that this grant must be construed *stricto sensu.* What is the consequence? that the labour of invention, with regard to all mechanical productions, is not only profitless, but in many cases ruinous to the inventor, and this so generally, and to so great a degree, that it has become proverbial among mechanists, that those who devote their time and talents to productions of this nature, do so to their own certain loss. And the public, mean time, loses all the advantage which it would receive from the invention of implements capable of multiplying production to such a degree as to render it abundant. And all this because the lawyer is unable to see through the obscurity of a word, and is incapable of performing the very slight analysis that is requisite to distinguish the two sets of circumstances, which are, in this instance, included under one and the same term. When it is considered that there is scarcely one clearly defined term in the whole system of English law,—that there is not a single law-treatise in the English language which contains a good definition of the words law, right, obligation, principle,—that no lawyer is acquainted with any determinate criterion of right or wrong, but that all lawyers are, in the room of it, busily engaged in the pursuit of a number of fictitious entities, which they mistake for real entities, such as "natural equity," "natural sentiments of mankind," "innate sense of justice," and a host of others,—it will hardly be denied that analysis is a process which might be applied with some advantage to the law,—that sound

drilling for some time in the exercise of applying it would do no sort of injury to the lawyer's mind,—and that, at no distant period, the public would become sensible of the good effects of the discipline by the altered state of its purse.

The imputation of Realism lies with still greater force against the whole body of physicians than it does against the body of lawyers. Unfortunately for the medical mind, a catalogue of names has been drawn up, under the dignified appellation of *Nosology*, each name standing at the head of an enumeration of a certain set of symptoms; these names have been mistaken universally (or with few and rare exceptions) for things; and consequently the symptoms of diseases for diseases themselves; the mere signs of disorder for the disordered state. It has happened, therefore, and according to the laws which regulate the suggestion and succession of the trains of ideas in the human mind, it could not but happen, that in practice, at the bed-side of the sick, medical men have set themselves to find out the name to which the symptoms presenting themselves might be referred, not to discover the morbid condition of the organ on which the symptoms depend; and that when they have taken the pen in hand to prescribe, or the pestle and mortar to compound, what they have had in view, as the thing to be combatted, has been the nosological name under which an artificial classification chanced to arrange certain sets of symptoms; not the morbid processes, which alone constitute the disease, which alone admit of counteraction, which alone can be objects of treatment. With the name is associated in the practitioner's mind a certain set of remedies: as soon as the symptoms suggest the name, the name invariably suggests that particular set of remedies: consequently, if the name suggested denote an opposite morbid state from that which actually exists, an opposite set of remedies to that which the case requires must be employed. And what is the consequence? What must be the consequence in all the cases in which life depends on the counteraction of morbid processes, which are never thought of; and the existence of which are never even an object of attention? What must be the consequence, when men to whom the salvation of life is intrusted, from the belief that their professional pursuits have made them acquainted with the means of saving life, are ignorant even of the very object at which it is their business to aim? The *practical* consequences of this miserable cheat of words, with which the medical mind has so long abused itself—what must they have been? Melancholy and many are those consequences, of which Death could speak, but which the Grave conceals!

We shall advert to but one other class of professional men, who have wretchedly failed in the object of their pursuit, and who continue to fail in it, in consequence of their ignorance of the structure of the human mind. Had the schoolmaster been as intimately acquainted with mental and moral phenomena as he has been profoundly ignorant of them, what would have been the mental and the moral state of the present generation of men? Whether his purpose be to communicate any thing from the stores already accumulated in the great treasury of human knowledge, or to show how mental labour must be directed in order to furnish any new contribution to those stores; whether he aim at forming a mental or moral habit, or endeavour to prevent the formation of any; whether his object be to instruct or to govern, to stimulate or to curb, to guide or to counteract, he can do neither without an acquaintance with the constitution of the mind upon which he has to operate. Nothing connected with human affairs is calculated to fill an enlightened and benevolent man with deeper regret, than the fact (and unhappily the more it is investigated the more clearly it appears to be a fact) that up to the present time all the prevalent systems of education, all the popular modes of teaching, all the instruments of instruction, all school-books and all school-discipline, (with few exceptions) have been founded in a total ignorance of the human mind. Some of these plans, it is true, have been constructed with such exquisite art and skill, to counteract the purposes for which they were professedly framed, as to excite a suspicion that they were devised with a consummate knowledge of the human mind for the express purpose of being turned against it. Of Latin and Greek Grammars, and of the mode of teaching language in general, long prevalent and still prevalent in the schools, some of the older grammarians have indeed said, in so many words, that the Devil actually had a hand in their invention. And unquestionably if the human race have an evil genius, and if he be the author of those inventions, the moment when the idea of them first occurred to him must have been one of exultation. From the first day they were put in operation, until the present, they have wrought his will with such steadiness and power, that he must have taken an amazing pride and pleasure in witnessing how well they worked. To an extent which even he could hardly have anticipated, they have kept the human mind in a state of perpetual infancy, obliging each successive generation to go over precisely the same ground as the preceding, and with the same toil; allowing incredibly little to be transmitted from mind to mind; making every one climb by the same rugged path the same steep ascent, and causing

time to erase, not to deepen, the print of the steps by which some have succeeded in reaching the summit, and the vestiges of which might have rendered the ascent less difficult to others. By inverting the natural order in which they ought to be studied, by beginning with the abstract instead of the concrete, by pretending to expound the general law before the individual facts were made known, the study, even of the phenomena of nature, and of their varied and extended dependencies, than the perception and tracing out of which there is nothing that excites in the young mind a more intense interest or a more pure delight, has been turned into loathing. The period of human life when all the faculties of the human being are vigorous and fresh, and might be kept in a state of almost constant activity, a period the recollections of which ought to be those of unmixed delight from association with the highly pleasurable sensations that are the natural result of healthful and vigorous exercise,—this period has, in many cases, been rendered one of so much restraint and mortification that it cannot be recurred to without feelings of the most painful regret, not unmixed with indignation. But the full magnitude of the mischief is to be seen in the ultimate result, which has been, not only to counteract the developement of the mind and to cramp its powers, but to corrupt its affections, and to render it, what we so often see it, narrow, dark, feeble, cowardly, and selfish. In a word, what has been called Education, instead of consisting of a discipline wisely adapted to expand the faculties, to store the mind with useful knowledge, and above all, to form it to habits of reflection, discrimination, calmness, self-control, self-denial, truth, courage and benignity, has consisted of a process which applied in infancy, and brought to operate with surprising constancy and force through the successive periods of youth and adolescence, has ended by making the MAN, in the most comprehensive and the worst sense of those words, alternately slave and tyrant.

When it is considered that the evils which have been adverted to, affect the highest powers and the most precious interests of the human being, and that there is not a single human being to whom their baneful influence has not in some degree extended, while of many thousands it may be most truly affirmed that they have occasioned the total and irretrievable ruin—some conception may be formed of the importance of that science, which, when cultivated with success, will put an end to them; which alone is adequate to remove them, and which will diminish them in proportion as it is understood and brought into operation. This science we have called the master-science; and it is so, not only because it is in itself the noblest, but also because

it exerts a paramount influence over the acquisition, the extension, and the use, of every other. He who increases our knowledge of this science is our benefactor in the highest sense in which one human being can be the benefactor of another; and we doubt not that the time will come, when the benefit conferred by the author of "The Analysis of the Phenomena of the Human Mind" will be felt and acknowledged to be inestimable. This work is strictly what its name implies, an analytical investigation of the mental phenomena. It consists not of disquisition, not of diffuse and rhetorical writing, but of a close and scientific examination into the composition of the various mental aggregates, the successions of which constitute our existence. It may be considered as a series of exercises, in which the points to be ascertained are stated with clearness and precision, and the mode of arriving at the results sought for is shown and indicated in such a manner, that the student is taught, not only how to arrive at any one particular result, but at any result of the same nature which to him may be yet unknown. And this we look upon to be the great excellence of the work; the habit of mind which the study of it is calculated to form; the habit of mental reflection, or rather of mental dissection, without which no progress can be made in the cultivation of this science, and which can be acquired only by labour and perseverance. Those only who have in some degree succeeded in acquiring this habit are aware of the difficulty of putting and keeping it in exercise, or know how very rarely that exercise is performed. All long-continued voluntary efforts are painful. Few persons, until they make the trial, are aware of the difficulty of keeping the arm extended at full length, without allowing any relaxation of the muscles, for the space of ten minutes; nor is it commonly suspected that it is equally difficult to fix the attention, without interruption or diversion, on a single point of consciousness alone, for the same space of time. The power of continuous attention, however, is capable of being strengthened to a far greater degree even than the power of continuous muscular exertion; and while there is no study in which this power is more requisite than in that of the mental phenomena, there is none which has so remarkable a tendency to improve and to perfect the faculty.

It is certain that he who, without having previously exercised his mind in investigations of this nature, reads this work as he would read an account of some natural phenomena, or as he would go over a bare chemical analysis, will peruse it with little profit. It will do good to none whom it does not induce to observe with closeness his own states of consciousness; whom

it does not excite to perform for himself those mental analyses which have indeed been performed for him, but which have been given chiefly as specimens; whom it does not stimulate to repeat again and again, these and similar analyses, until the processes shall have become perfectly easy, familiar, and sure. When the student has acquired this power, then he will understand the value of the instrument which is now put into his hands, and will see with what incredible advantage it is capable of being applied to the most important subjects that can occupy his attention—subjects in which his own happiness, and that of his fellow beings are most deeply involved.

"I am fully aware," says Professor Stewart, "that whoever in treating of the human mind, aims to be understood, must lay his account with forfeiting, in the opinion of a very large proportion of his readers, all pretensions to depth, to subtlety, or to invention. I may add that it is chiefly in those discussions which possess the best claims to originality, where he may expect to be told by the multitude, that they have learned from him nothing but what they knew before."

"Such is the strange nature of man," observes Professor Brown, "that the simplicity of truth, which might seem to be its essential charm, and which renders it doubly valuable in relation to the weakness of his faculties, is the very circumstance that renders it least attractive to him; and though, in his analysis of every thing that is compound in matter, or involved in thought, he constantly flatters himself that it is this very simplicity which he loves and seeks, he yet, when he arrives at absolute simplicity, feels an equal tendency to turn away from it, and gladly prefers to it any thing that is more mysterious, merely because it is mysterious. I am persuaded, said one who knew our nature well, that if the majority of mankind could be made to see the order of the universe, such as it is; as they would not remark in it any virtues attached to certain numbers, nor any properties inherent in certain planets, nor fatalities in certain times and revolutions of these, they would not be able to restrain themselves, on the sight of this admirable regularity and beauty, from crying out with astonishment, What, is this all?"

Although we do not doubt that the exclamation, What, is this all? will burst from the lips of not a few on arriving at the result of many of the analyses which have been most successfully performed by Mr. Mill, nevertheless there is a class of readers who will clearly perceive, and gladly acknowledge, how much this author has done towards accomplishing the prediction of Hartley, that some one would ultimately succeed in resolving all the mental phenomena into sensation and association. There

is, indeed, another element which, although it was not entirely overlooked by this great philosopher, certainly was not duly appreciated by him, that is, *naming;* an element, the nature of which Mr. Mill has investigated at great length, and the operation of which he has taken great pains to trace and to elucidate, often with the happiest result. In a word, sensation, association, and naming, are the three elements which are to the constitution of the mind what the four elements, carbon, hydrogen, oxygen, and azote, are to the composition of the body.

Instead of entering into any analysis of Mr. Mill's work, of which the brief space that remains to us will not admit, we shall conclude with an observation or two on a point on which Mr. Mill does not enter. Fully aware of the importance of having in the commencement of the study of the mental phenomena a distinct conception of the simple elements of which the compound mental states are composed, Mr. Mill begins his investigation with sensation, and with those cases of sensation which are most familiar, and which can be most easily thought of by themselves; that is, of which a conception free from the mixture of any extraneous ingredient can be most certainly formed. We recommend this part of the work to the special attention of the student. He will find his subsequent analysis of the complex mental phenomena exceedingly facilitated by acquiring in the commencement a familiar acquaintance with the simple mental states, that are the immediate result of sensation. And for the more clear and perfect understanding of sensation itself, it is desirable that some account should be given of the physical apparatus, and of the physiological process upon which it depends. It is true that the most perfect knowledge of the anatomy and physiology of the organs concerned in sensation, do no more than make us acquainted with the ultimate facts, the exact events that happen: but still, since a knowledge of those events enables us to understand with greater precision the simple states of sensation, it may be worth while to expound in a few brief words the sum of what physiologists, up to the present time, have succeeded in making out.

The physical phenomena to which it is necessary to attend, are those which relate both to sensation and to motion. Often sensation and motion are closely related, being reciprocally antecedents and sequents: at other times there is no relation whatever between them; and it is important, as will be seen immediately, to have a clear perception of the cases in which that relation does or does not subsist.

Sensation is a function of the nervous system; motion is a function of the muscular fibre. The nervous system consists of

brain, spinal cord, and nerves. Of the structure of the brain and spinal cord it is not necessary to our present purpose to say any thing; it is only requisite to state that there is the most satisfactory evidence, that the seat of sensation is exclusively in these portions of the nervous system.

Nerves are attached by one extremity to the brain or spinal cord, and by the other extremity to certain instruments, which are called organs. A nerve is composed of nervous matter, and of membrane. The nervous matter is a soft pulpy substance, perfectly analogous to that of the brain and spinal cord; the membrane forms a sheath or tube around this matter, so as completely to enclose it. From the extremity of a nerve, which is attached to the brain or spinal cord, to that which terminates in an organ, this nervous matter is uninterruptedly continuous, and this continuity is essential to its function.*

An organ of sense consists of organized substance and of nervous matter. The conformation of the organized substance is such as specifically to adapt it to receive and modify certain impressions produced by external bodies; the conformation of the nervous matter is such as suitably to dispose it for the reception of those impressions after they have been thus modified: to this nervous matter one extremity of the nerve is attached, while the other extremity, as has been stated, is united to the brain or the spinal cord; whatever impression is received by the nervous matter of the organ of sense is conveyed by it to the nerve, and by the nerve is transmitted to the brain or the spinal cord.

We are now prepared to understand the events that take place in the operation of sensation. These events are three:—First, the communication of an impression by the organ of sense to the nerve which is in connection with it; secondly, the transmission of that impression along the trunk of the nerve to the brain or spinal cord; thirdly, the reception of that impression by the brain or spinal cord. By the most ample deduction of facts it is proved, that an external impression cannot produce sensation unless each of these events take place, and in the exact order here stated. The effect produced in the organ of sense, that is the impression it receives, must be communicated to the nerve; the nerve must transmit it to the

* From some curious experiments which have been lately performed, it would seem that the function of a nerve can be performed without an absolute continuity of its nervous matter: if the trunk of a nerve be cut, and its cut ends be placed within the distance of half an inch of each other, the function of the nerve goes on; if they are removed to a greater distance the function of the nerve is wholly at an end.

brain or spinal cord; the brain or spinal cord must receive it: that reception is sensation.

Motion is of two species, voluntary and involuntary. The distinction with reference to our present subject is important, because sensation is connected with the first, but it is not connected with the second.

Voluntary motion includes those actions of the muscles by which locomotion is performed, or any desire or purpose of the animal accomplished. Involuntary motion includes those actions of the muscles by which the conservative functions are carried on; that is, the greater part of those minute operations that compose the functions of digestion, respiration, circulation, secretion, excretion, and so on—functions which maintain the life of the animal.

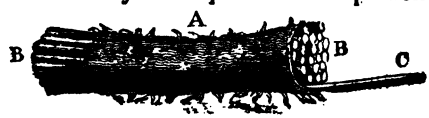
Both species of motion are performed by the action of the muscular fibre; by that action which is called contraction, and which consists in the shortening of the fibre. No muscular fibre can contract of itself, it must be excited to contraction by some external agent; that agent, whatever it be, is called a stimulant. To all voluntary muscles there belongs but one proper stimulant, that is, volition, or rather some nervous influence sent by volition into these muscles. To involuntary muscles there are numerous stimulants. In general each involuntary muscle has its own specific stimulus. Thus the specific stimulus of the heart is blood: of the right side of the heart venous blood, of the left side of the heart arterial blood. The specific stimulus of the stomach is aliment: of the small intestines chyle: of the large intestines the refuse matter of the aliment which has not been converted into chyle, and so on. Hence we learn why the action of voluntary muscles is only occasional: why on the contrary the action of involuntary muscles, is for the most part incessant, continuing day and night without intermission during the whole period of life. Muscles act only when their proper stimulus is applied to them. The stimulus of the voluntary muscles is applied to them only at intervals; namely when the will of the animal excites them to action: on the other hand the stimulus of involuntary muscles is applied to them incessantly, the nutritive processes of the economy requiring their uninter-mitting action. The volition of the animal can at any time determine to the voluntary muscles their proper stimulus,—hence they must at all times be at the command of the animal, and this it is which renders them voluntary. But the proper stimulus of the involuntary muscles cannot be determined to them by the will of the animal: it is determined by peculiar vital laws over which the volition of the animal has no control;

and, in consequence of this arrangement, they must necessarily be placed wholly beyond the command of the animal, and for that very reason rendered involuntary. The wisdom of the constitution of this part of the animal economy is admirable. The voluntary muscles are the instruments by which the animal accomplishes its desires: of these instruments it is necessary that it should have the command. But the involuntary muscles are the instruments by which the physical processes that sustain life are carried on: these operations inconceivably minute, countless in number, and requiring for the conservation and integrity of the whole machinery that their action should be unceasing, were these operations placed in any degree within the control of the animal, might be greatly impeded by his volition, but could not possibly be promoted by it: they are therefore placed beyond it.

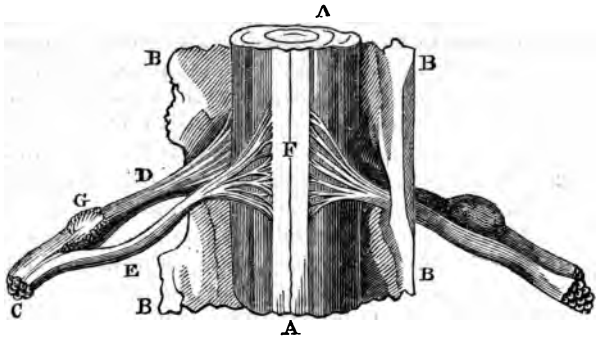
In voluntary motion the events that form the train belonging to the operation, take place in the inverse order of those of sensation. In voluntary motion there is first an influence communicated from the brain or spinal cord to the nerve; this influence is propagated, down the trunk of the nerve, to the muscle; and when received by the muscle it produces an effect upon its fibres which causes them to contract. The proof is even more full and complete that all these events are essential to the action of the muscle, than it is that each event in the train of sensation is indispensable to the result. In motion then the influence begins in the brain or spinal cord, and ends in the instrument: in sensation, on the contrary, it begins in the organ or instrument, and ends in the brain or spinal cord.

It is a curious fact for the establishment of which we are indebted to the accurate experiments of modern physiologists, that the nerve of sensation is perfectly distinct from the nerve of motion, and that each has its own peculiar and appropriate seat in the brain or spinal cord.

We have stated that a nerve is composed of a quantity of nervous matter enclosed in a tube of membrane. But when a nerve is particularly examined, it is found to consist of a number of smaller nerves: to be, in fact, an aggregate of a vast multitude of threads of nervous matter, each enveloped in its own membrane: these threads are called filaments. A glance at the accompanying wood-cut will convey to the reader a more distinct conception of this structure than any description. A represents a nerve enveloped in its membrane; B B the distinct filaments of which it is composed; C one of



these filaments dissected out. Now these filaments, taken altogether, may perform one function, that of sensation for example, or some may perform the function of sensation and some that of motion; but the filaments of sensation, though bound up in the same bundle with those of motion, apparently for the convenience of distribution to their respective organs, always remain perfectly distinct; they are merely in juxta-position: they never intermix in substance, never interfere in function. And the important fact is, that if all the filaments of a nerve perform the same function, they are all united to the same part of the brain or spinal cord; but if some perform one function and some another, some filaments are united to one part of the brain or spinal cord and others to another part. The spinal nerves, for instance, are compound nerves, that is, some of the filaments of which they are composed are for sensation, and others for motion. The arrangement of these different filaments at their junction with the spinal cord may be distinctly seen by referring to the annexed figure: AA represent the spinal cord seen in front; BBBB,



the membrane in which it is enveloped reflected back, C a spinal nerve with all the filaments of which it is composed mixed together, D E two masses of these filaments separating from each other, the one E going to be attached to the anterior surface of the spinal cord F, and the other D going to be attached to the posterior surface. Now it is established by the most satisfactory evidence, that the filaments attached to the anterior surface are for motion, while those attached to the posterior surface are for sensation. If in a living animal the anterior filaments are pricked or irritated, the animal gives no indication of feeling, but the muscles to which the injured filaments are distributed, are thrown into violent contractions: on the contrary,

if the posterior filaments are pricked or irritated, no muscle is in the least degree excited, but the animal betrays unequivocal indications of suffering. As the filaments are blended together in the nerve at C, there is no possibility of distinguishing those that are for motion from those that are for sensation; but those which perform the one function separating from those which perform the other before their insertion into the spinal cord, we have it in our power to ascertain by experiment which function each performs. Whether there are distinct filaments for conveying nervous influence to the involuntary muscles, has not yet been made out; but since there is a distinct system of nerves (the sympathetic) which seem to be chiefly appropriated to those organs and which unquestionably are not sentient nerves,—it is to be presumed that this is the fact, and to be hoped that physiologists will hereafter supply the evidence of it, for when this link is added to the chain it will be complete.

We have seen that the voluntary muscles are both the instruments of loco-motion, and the means by which the animal acts on external objects to render them subservient to the accomplishment of any desire it may feel, or any conception it may form: that of these instruments, the very end of their existence requires that it should have the complete and the instantaneous command; that, on the contrary, the involuntary muscles are the instruments by which the physical and the vital processes that sustain life are carried on: that the regularity and constancy of their action might be interrupted, but could seldom be promoted by the volition of the animal; that, therefore, they are placed beyond its control, and are consequently rendered involuntary. Now, it is a part of the same wise constitution of our nature, that the action of the voluntary muscles should be attended with sensation, but that the action of the involuntary muscles should be wholly unattended with it. This fact deserves particular attention. We could have had no idea of resistance, for example, "which forms so large a part of what we call our idea of matter, without the feelings which attend the action of voluntary muscles. Resistance means a force opposed to a force; the force of the object opposed to the force which we apply to it. The force which we apply is the action of our muscles, which is only known to us by the feelings which accompany it. Our idea of resistance then is the idea of our own feelings in applying muscular force. The feeling of weight or attraction, is also a feeling of resistance."—There are other elementary sensations which are derived from the action of the voluntary muscles, which it is not necessary to specify at present: it is sufficient to bear in mind, that this action is a source of several distinct and very important primary sensations.

The action of the involuntary muscles, on the contrary, as long as it is natural and healthy, is attended with no distinct consciousness. These involuntary muscles, as has been stated, are the instruments by which the vegetative functions are performed, or by which those processes are carried on, which are necessary to maintain the integrity of organized structure. All these processes go on without producing any distinct consciousness. In the plant, these vegetative processes are the only functions that are performed; in the animal, the two functions of sensation and motion are superadded; but the addition of these two new functions in the animal, does not alter the nature of the functions which it performs in common with the plant. We do not feel the conversion of food into chyme in the stomach, nor the change of chyme into chyle in the duodenum. When duly elaborated, we are not conscious of the absorption of the chyle by the lacteal vessels, nor of its transmission by these tubes into the current of the venous blood. We are not taught by any internal sensation, that there is an immense column of blood always flowing towards the heart, and another column always pouring from it. Although the muscular contractions by which the circulation is accomplished are powerful and incessant, continuing night and day without intermission, from the commencement to the termination of life, yet so little are we conscious of their existence, that a century or two only have elapsed since the circulation itself was discovered. Nevertheless, the general result of these involuntary actions is a consciousness which is quite distinct and peculiar. When all these actions go on vigorously and well, the general result is a state of consciousness, a state of pleasurable sensation, common to the entire system, which every one has felt, which cannot be described, but which is named the state of health. This general and peculiar consciousness, the ultimate result of the natural action of all the organs, which we denominate health, is the only consciousness which, as long as they remain perfectly sound, the involuntary actions contribute to produce: for the moment their action becomes distinctly perceptible, even perceptible enough to draw the attention to the organ producing the sensation, it is a certain "sign that the action of that organ is deranged. Hence it is truly said, that digestion is performed perfectly only when it is accomplished without our knowing that we have a stomach. But in disease, the case is widely different: comparatively slight deviations from the state of health render some of these involuntary actions but too acutely sensible, and then they immediately become very important elements in the train of thought, influencing and modifying them

to a far greater degree than is commonly apprehended. Both as enabling us to distinguish the sound from the morbid states of consciousness, to detect the sources as well as the elements of the latter, and to discover the means of counteracting the circumstances that tend to their formation, it is very important to attend to the distinction here pointed out. If, for example, the pyloric portion of the stomach be inflamed, there is often no sense of uneasiness in the stomach itself; but the most distressing sensations are produced in the system in general; the appetite either entirely fails, or becomes voracious, the function of digestion is disordered, healthy chyle is not formed, the strength fails, the flesh wastes, the voluntary muscles lose their firmness, and become soft and flaccid; their mobility increases to such a degree, that they are excited to irregular and violent action on the application of almost any stimulus, however slight; the sensibility increases in a still greater proportion; circumstances which, in a state of health, would excite scarcely any feeling, are now the causes of emotions almost too painful to be endured; the trains of ideas not only become preternaturally intense, but they succeed each other with preternatural rapidity, hence their true relations are not distinctly perceived; often indeed so confusedly, that the exercise of a sound judgment is impossible. One of the most painful feelings connected with this disordered state, is the consciousness which the mind has of its own weakness, vacillation, and untrustworthiness; it cannot fix its attention with steadiness on any point, and the mental irritability that results, reacts upon the diseased organ that produces it, aggravating the physical disease, while that, in its turn, increases the mental disorder, and thus a state of body and mind is produced that is truly wretched. This is the state to which the strange name of "nervous" is often attached.

In like manner if the secretion of the liver be imperfect, the process of digestion is equally impaired. Healthy bile not being mixed with the nutritive matter prepared by the stomach, healthy chyle cannot be formed; the body immediately feels inert and languid, the mind dull and torpid, the trains of ideas become gloomy and desponding, and the temper irritable and capricious.

Again, the nerves that supply all the nutritive organs are most intimately connected with certain large nervous ganglia and plexuses situated in the abdomen. A state of irritation, or of slight and long-continued inflammation of these ganglia and plexuses, gives rise to an extensive circle of diseases, which influence the trains of thought and feeling in a most remarkable

and an exceedingly painful manner. All these morbid states have hitherto been jumbled together under the names of nervous and bilious. Little progress has yet been made in the discrimination of the diseases that arise from this source, but attention is awakened to the subject, and the power which a clear and exact knowledge of it will confer, to mitigate human suffering, is immense.

There cannot be a doubt, that in the great majority of cases, the first origin of mania takes its rise in some physical disorder of this nature; and that if the seat of the malady, and the nature of the disordered state, were discriminated at an early period, the occurrence of the maniacal condition might be effectually prevented. And it is equally certain that those mental states which do not entirely overwhelm the volition of the individual, and obviously deprive him of the power of controlling his actions, but which still hurry him into extravagant and vicious courses, terminating at length in the commission of atrocious crimes, not unfrequently have their origin in the same physical disease, and might be wholly prevented were the physical disease attended to in the commencement, and the proper remedies applied. How many crimes would be prevented were the physical health studied with relation to the mental and the moral! How much suffering would be saved were the mental and the moral health studied with relation to the physical! Surely these are considerations which deserve the attention of the parent, the instructor, the physician, the moralist, and the legislator.

Art. II.—1. *History of Scotland.* By Patrick Frazer Tytler, Esq. F. R. S. E., and F. A. S. Vols. 1, 2, 3. Edinburgh. 1828-9.

2. *The History of Scotland.* By Sir Walter Scott, Bart. Vol. 1. London. 1830.

HISTORY is in truth, as hath been said of it, little else than a register of crimes. There is scarcely a green spot—an oasis in its vast desert, on which the jaded mind and eye of the intellectual traveller can rest for a moment with unmingled satisfaction. Murder succeeds to murder, and massacre to massacre; fraud follows fraud, oppression oppression, and injustice injustice; successful crime, violence, and villany call aloud to and cheer on crime, violence, and villany, in the vain and unprofitable record, until we turn with a disgust that amounts to loathing, and ask if this be the policy, the heroism and the wisdom, if these be the boasted deeds of those venerable and illustrious ancestors,

whom some have been in the habit of holding up to us as the pure and unapproachable models of whatever is wise, virtuous, and valiant. To a mind turning from the consideration of the point which human society has at present attained, and the prospects which calm and enlightened benevolence holds out to it for the future, the history of the past, at least as it has been hitherto written, seems almost as little calculated either for pleasure or instruction, as to a mind sane and well regulated would be the horrible and revolting records of a mad-house or a brothel.

The Scotch are fond and proud of their history. To such a degree are they so, that, if they possessed the Roman's power, in all probability there would be no deficiency of his will, to force some rude and filthy fable of divinity of origin down the throat of mankind. But that trick has never succeeded, except in the case of the Greeks and Romans. The Greeks had none to detect and contradict their fables: they had not then, as they had afterwards, a mark set upon their monstrous mendacity. *Græcia mendax* had not then become a byeword among the nations.

> 'A fixed figure for the time of scorn
> To point his slow unmoving finger at'—

The cause of the success of the Roman fable is explained in the insolent observation of the historian of those conquerors of the world. "Si cui populo licere oportet consecrare origines suas, et ad Deos referre auctores, ea belli gloria est populo Romano, ut quum suum conditorisque sui parentem Martem potissimum ferat, *tam et hoc gentes humanæ patiantur æquo animo quàm imperium patiuntur.*—Livy—*Preface.*

The Scotch are proud of their 'history.' And in that history they have something whereof to be proud. But that something when compared with the whole mass, is small indeed. The bright and heroic æra of Scottish history was the period of the fierce and obstinate, and ultimately successful struggle for freedom under William Wallace and Robert Bruce, the only really and greatly successful leaders Scotland ever possessed, because they were the only ones who were, in any high sense of the words, at once wise and valiant. Indeed, certain of the house of Douglas, and others, may be considered as successful thieves; perhaps they merit the more dignified name of robbers, as one or two of them were certainly bold villains; but none of them possess any claim to the title of a great commander. In short, the rest of her history consists of a series of ill-conducted enterprises, with incapacity, imprudence, disorder,

and defeat, instead of capacity, prudence, discipline, and victory, for their companions. The two Grahams, Montrose, and Dundee, possessed talents for war; but those talents were displayed on a small scale: and in what they did, their countrymen have little cause to glory. The man who assassinated Dorislaus, who offered to assassinate Argyle, and who in the name of a King styling himself Defender of the Christian Faith, was guilty of atrocities at which humanity shudders; and he who hunted down his innocent and defenceless fellow-creatures, as if they had been wild beasts, deserve to go down together to the execration of posterity.

And yet the Scots, as a nation, possessed, and still possess, great physical as well as moral capabilities for war. By the constitution of their bodies, patient of toil and watching, of hunger and thirst, of heat and cold; by that of their minds, at once ardent and persevering, bold and wary, they possessed not a few of the more admirable qualities, which Sallust has ascribed to Catiline. With a Catiline or a Cæsar to lead them, such men might have conquered the world. With the leaders whom they had, the brainless and besotted barbarians of barons,—or the as brainless and besotted knight-errant kings—they fled before a boy or a woman. Possessing a great aptitude for the endurance of privation and suffering, admirable habits of order, industry and perseverance; it might be expected that the Scottish nation would have made greater and more rapid strides towards civilization, towards wealth, knowledge, and refinement, than it has done. Perhaps we may be able to point out one or two of the causes of this retardation.

The curse—the heavy curse of Scotland—has been its Aristocracy. Men talk and write much of the grievances, which England suffers from hers; but those grievances are as mere dust in the balance when compared to those inflicted upon Scotland by her own dear porcelain clay. Compared to those of Scotland, the nobles of England were meek, humble, humane, enlightened, wise, temperate, slow to anger, affable, generous, nay just. The nobles of England have always been kept in some check. The Scottish nobles from the time their country was a country, had been so many uncontrolled and irresponsible despots. In England the case was different. On two occasions, at two distinct and distant periods of her history, kings came in by conquest, or if the phrase be preferred, they acquired their kingdom by the event of a successful battle in which Englishmen fought on both sides. The power of William the I., vulgarly and far from accurately called the Conqueror, and that of his more im-

mediate successors, was sufficient to keep the barons in complete check, even without calling in the aid of the *tiers état*, or commons. The balance, however, was beginning to incline more in favour of the nobles, when the accession of Henry VII. restored the crown to its former power. In Scotland, on the contrary, even successful warlike operations, as in the case of Robert Bruce, do not appear to have given the king much power over his barons; as is proved by that famous answer of the barons to Robert when he was proceeding to question the titles of some of them to their possessions. "By these" they exclaimed, drawing their swords, "we have won, and with these we will preserve them."

There is little doubt that the poverty and barbarism of the country, while it prevented the lower orders from bettering their own condition, also prevented the king from making use of their assistance to keep his haughty, insolent, and tyrannical nobles in check. The nobles seem to have been fully aware of this. The following is one of many examples of their efforts to prevent their country from partaking of the advantages of commerce. It may be proper to remark that by the states of the realm, are designated the nobility and the higher clergy, there being in Scotland, then literally, and long after virtually, no *tiers état* or commons.

'Among these strangers, there arrived in a great body, the richest of the Lombard merchants, and offered to build royal settlements in various parts of the country, especially upon the mount above Queensbury, and on an island near Cramond, provided the king would grant them certain spiritual immunities.

'Unfortunately, the proposal of these rich industrious men, for what cause we cannot tell, proved displeasing to the States of the Realm, and was dismissed; but from an expression of the historian, we may gather that the king himself, (Alexander III.) was desirous to encourage them, and that favourable terms for a settlement would have been granted, unless death had stepped in, and put an end to the negotiation.'—*Tytler*, Vol. i.—p. 61.

We shall further illustrate this subject by an extract, from Mr. Tytler's 'Historical Enquiry into the ancient State and Manners of Scotland,' which fills the latter half of the second volume of his history, and as a composition is highly honourable to his judgment and research.

'The motives for the care and protection extended to such infant villages are easily discoverable, if we recollect the description already given of the condition of a great portion of the lower orders of the people, out of which class the manufacturers and traders arose. They were slaves; their children, their wealth, and the profits of their

industry, exclusively belonged to their lords; so that a settlement of wealthy manufacturers, or a community of successful and enterprising artizans, under the walls of a royal castle, or rich abbey, or within the territory of a feudal noble, was just so much money added to the revenue of the king, the baron, or the abbot. As wealth increased with security and industry, the inhabitants of these communities began gradually to purchase their liberty from their lords, and to form themselves into insulated associations; which, from their opulence, were able to bribe the sovereign to grant them peculiar privileges. Into these bodies, freedom and the feeling of property soon infused an additional spirit of enterprise, and transformed their members from petty artizans into opulent merchants, whose transactions embraced, as we have seen, a respectable commercial intercourse with foreign countries.

'It was soon discovered by the monarchs of Scotland, that these opulent communities of merchants, formed so many different points, from which civilization and improvement gradually extended through the country; and the consequence of this discovery was, their transformation, by the favour of the sovereign, into chartered corporations of merchants, endowed with particular privileges, and living under the especial protection and superintendence of the king.

'In this manner at a very early period royal burghs arose in Scotland. The various steps of this progress were, in all probability, nearly the same as those which are pretty clearly seen in the diplomatic collections and ancient muniments of different European kingdoms; the hamlet growing into the village, the village into the petty town; this last into the privileged and opulent borough; and it is evident that our kings soon found that the rise of these mercantile communities, which looked up to the crown for protection, and repaid it by their wealth and their loyalty, formed a useful check upon the arrogance and independence of the greater nobles. It is probably on this account, that the rise of the boroughs was viewed with great jealousy in France; and that their introduction into that kingdom is described, by a contemporary author, "as an execrable invention, by which slaves were encouraged to become free; and to forget their allegiance to their master!"—Vol. ii. pp. 295-6.

The remark of Gibbon with respect to the Venetian Aristocracy, "that it reduced the doge to a pageant, and the people to a cypher," may be applied with additional force to the Scottish. But the Venetian differed from the Scottish Oligarchy as much as a more civilized might be expected to differ from a less civilized, or one less removed from the absolute brute state. The Venetian oligarchy reduced their doge to a pageant, and the people to a cypher, and slaughtered the one and the other when it seemed good to their high and mighty wisdom; but they did so at least by a form of law. The Scottish Oligarchy not only reduced the king to a pageant and the people to a cypher; but they poniarded, poisoned, and starved

to death their kings, and ground down their fellow-subjects to the very dust, without bringing forward even the shadow of a law. But in some things they shewed high respect and obeisance unto their τυραννοι. With a truly characteristic morality they prostituted to his highness their wives and daughters —counting it no disgrace, but rather an honour for a female even of high birth to act as concubine to our lord the king. Which lofty and aristocratic morality they instilled into the minds of their vassals, who were taught that it was a dignity highly to be courted for any female to become in any way the paramour of his honour the Laird. They were unable to maintain the wise union of the Venetian tyrants. Although they robbed and plundered alike with success their king, his enemies, and their fellow subjects, they quarrelled about the division of the spoil, like bloody and ferocious beasts of prey, or equally bloody and ferocious barbarians.

We can readily furnish examples of some of these worse than brutal quarrels—worse than brutal, for starving to death was a refinement above the brutes. That we may not be suspected of any unfair dealing towards those worthy gentlemen, we shall give them in the very words of a writer, who has done —probably without intending it, but by the mere splendor which his genius has cast upon things in themselves worse than worthless, and which, but for that Promethean ray, would have slept for ever in oblivion's shadow—more than any writer of modern times, to make chivalry and its heroes a subject of unmeaning admiration to the weak and ignorant.

'In the same spring Sir Alexander Ramsay, of Dalwolsey, added to his long list of services, the important acquisition of the castle of Roxburgh; which, according to the desperate fashion of the times, he took by escalade.

'Unhappily, the mode which the young and inexperienced king took to reward this gallant action, proved fatal to the brave knight by whom it was achieved. David conferred on Ramsay the sheriffdom of Roxburgh, as a fitting distinction to one who had taken the principal fortress of the country. The knight of Liddesdale, who had large possessions in Roxburghshire, and pretensions, by his services, to the sheriffdom, was deeply offended by the preference given to Ramsay. From being Sir Alexander's friend and companion in arms, he became his mortal enemy, and nothing less than his death would appease the rancour of his hatred. He came upon Sir Alexander Ramsay, accompanied with an armed force, while he was exercising justice at Hawick, dispersed his few attendants, wounded him while on the bench of justice, threw him on a horse, and through many a wild bog and mountain path, carried him to his solitary and desolate castle of the Hermitage, where he cast him into the dungeon of that lonely and

darksome fortress. The noble captive was left with his rankling wounds to struggle with thirst and hunger, supporting for some time a miserable existence, by means of grain which fell from a granary above, until death relieved him from suffering.

'The most disgraceful part of this hideous story remains to be told. David, whose favour, imprudently evinced, had caused the murder of the noble Ramsay, saw himself obliged, by the weakness of his government and the pressure of the disorderly times, not only to pardon the inhuman assassin, but to grace him with the keeping of the castle of Roxburgh, which the valour of his murdered victim had won from the enemy, and the sheriffdom of the county, which was rendered vacant by his murder.'—*Sir Walter Scott,* Vol. i. pp. 192-3.

Sir Walter Scott, after bearing this honourable testimony as to the real and true state of, as he justly calls them, those wretched times, expresses an equally honourable disapprobation of them.

'"It is scarce possible," he adds, "to give a more deplorable instance of those wretched times, in which the great stood above all law, human and divine, and indulged their furious passions, not only with impunity, but with an enlarged scope to their ambition. Neither was the act of cruelty attended with any blot upon his fame, since the knight of Liddesdale, who, before Ramsay's murder, had been distinguished by the splendid title of the Flower of Chivalry, continued to retain it after that atrocious transaction."'

It may not be irrelevant here to observe, that it is chiefly owing to his undiscriminating admirers and weak and unskilful imitators, that Sir Walter Scott has been made accessory to the introduction of high-flown and erroneous ideas respecting the ages of chivalry. Any one who examines attentively his works of imagination connected with those ages, will find that the characters there introduced are invariably monsters of atrocity according to our more civilized ideas of humanity, with only the exception of the hero and heroine, who, in order to make the work at all interesting to a civilized community, are generally represented as amiable young persons, according to the existing ideas upon that subject. Sir Walter Scott was too well acquainted both with human nature generally, and with the times of which he was writing in particular, to represent his characters otherwise than he has done. Other writers of both sexes, equally ignorant of human nature and human history, have thought fit, in their knowledge and wisdom, to pursue a different course.

It was not to be expected that such men would make a very obstinate, or even an honest stand at all, in defence of the liberties of their country, against a foreign invader. It mattered little to them, provided they could go on in their old way, who

called himself their lord-paramount. If they could domineer, oppress, slaughter, drink, brawl, and brutalize, as well under Edward Plantagenet as under John Baliol or Robert Bruce; Edward Plantagenet was as good to them as John Baliol, or Robert Bruce, or Donald, or Duncan, or Kenneth, or Indulf, or Aodh, or Eocha, or Grig, or any other breeched or breechless barbarian. He was even somewhat better, precisely by the amount of the bribe he gave them to induce them to join his standard. "In attaching themselves to Edward instead of Baliol," says Sir Walter Scott, "the high vassals connected themselves with valour instead of timidity, wealth instead of poverty, and conquest instead of defeat."—*History of Scotland*, vol. i. p. 70.

Edward was one of those strong-nerved and active-minded men, placed in powerful positions, who, with some good,* have done so much evil to the world. He was for his time an able commander, and no contemptible politician. Like Alexander, born a king, he burned like him with the desire to extend his hereditary sway by conquest. Alike without the comparatively enlightened views, and the comparative humanity of the Roman conquerors, his policy was the low cunning united to the cold-blooded and deliberate cruelty of the crafty barbarian, alike insensible to physical or moral human suffering. By making a few concessions to the English, to serve his purposes at the time, he has rendered his name upon the whole rather popular among them; and moreover he has been sometimes styled the English Justinian—and those who are least his admirers will hardly grudge him the compliment, if it implies that he resembled the hag and priest-ridden Eastern despot of that name, who is indebted for any thing of notoriety which he enjoys, to his having connected his name with the system which supports a numerous and respectable order of men. The highest, the only praise to which Edward can lay any just claim, is that of having trod,

* The following instance of that oblique good is related by Mr. Tytler, vol. ii. p. 270:—"It is material to observe, that when Edward, in the interval between the delivery of the Scottish fortresses, and the production of the claims of the competitors, took his progress through Scotland, for the purpose of exacting a general homage, he called upon the burgesses of the nation to come forward and take the oaths of allegiance; and that the first record in which we find the names of this important class in the community is an English deed, and the first monarch who considered their consent as a matter of public consequence was an English Sovereign."—It is the opinion of Mr. Tytler, formed on an examination of the most authentic records that have been discovered, that the first appearance of the royal burghs as an integral part of the Scottish parliament, is in the third parliament of Baliol.

with considerable vigour and dexterity, the crooked and bloody path of a narrow and selfish policy.

While the haughty and high-born nobles, whether of Scoto-Norman, Pictish or Scoto-Irish descent gave up their country without a struggle to the rapacious grasp of a foreign invader, it was reserved for the humble and low-born peasant to commence and carry on a stubborn, fierce, and bloody resistance. Degraded, ground down to the dust, excluded, we may say, altogether from the rank of moral and intellectual beings, as they had been and were, they could still feel that in the constant presence and superintendence of a foreign soldiery, ferocious, insolent, oppressive, there was something more than even they could endure. To give to this spirit of resistance power and effect, they wanted but a leader, sagacious, daring, and eloquent, who could prove to them by deeds as well as words, that they were a race of men, if worthily led, capable of achieving for themselves and their posterity, the advantages of freedom and victory. And in William Wallace, a private gentleman of Anglo-Norman descent, they found such a leader.

In relating the exploits of this extraordinary man, which have been elevated almost to the supernatural by the love and admiration of his countrymen, it has been usual with those who have hitherto attempted to write Scottish history, to assume a louder and loftier tone; like the fatally ambitious frog in the fable, to expand themselves to a degree of turgidity ill-suited to the dimensions which it had pleased nature to bestow upon them. Probably Sir Walter Scott was willing to avoid any appearance of following in the track of such men. If such was his wish, we can congratulate Sir Walter Scott upon having completely succeeded in it; and on having escaped the slightest appearance of anything resembling the fervor of eloquence, in narrating the exploits and the end of him, who was the real patriot, the true deliverer of his native country. Dr. Johnson used to talk of "warm Grey" and "cool Mason." Sir Walter Scott has here succeeded in being "perfectly cool."

The services of that man outweigh all the deeds of a similar kind united that have ever been done for Scotland. If all the vaunted actions, the murders, and the massacres, and the burnings, and the plunderings of those men, whose broad-domained and coronetted descendants boast of the antiquity of their blood, and of the valour and merits of their ancestors, were heaped together in one huge pyramid on the opposing scale, the single deeds of the unennobled patriot-soldier would make them kick the beam. The Arab respects the nobility of his horse, but neglects or despises his own. Neither, as Voltaire observes, is

this conduct so very unreasonable, since, among the lower animals, those races which are taken proper care of and kept without intermixture, never degenerate. Assuming, for a moment, what is not the case, this to be the case with the human animal, he who boasts of his ancestry should at least be able to show, that this ancestry possessed some qualities to boast of—some other qualities than those of a highwayman, a pickpocket, or "*quod dicere nolo.*"

With regard to Bruce, he certainly did much—perhaps it might be said all—to secure the independence of Scotland. But it was Wallace who led the way, by showing what it was possible to do, and thus for ever forbidding his countrymen to despair of freedom. And the motives are something:—let us examine them. The motives of Wallace were literally patriotic. The immediate impulse that drove him into action, was probably, as tradition has recorded, some blood-kindling and soul-stirring wrong, that acted on the bold and fiery spirit of Wallace, as a spark of fire acts upon a barrel of gunpowder. This, by the very constitution of human nature, has been the case with all patriots, the purest, the best, the most high-minded; with such men as the elder Brutus, and Tell, and Hampden, and Washington. But once in action—once in open war, the powerful motive that retained him in that position was unquestionably the desire of delivering his country from a foreign yoke. When repeated success had crowned his arms, and he had fairly driven the enemy out of his country, he obtained the same title, though by no means the same substantial power, that Cromwell afterwards bore,—he was chosen by an assembly of the states, guardian of the kingdom of Scotland. No evidence, however, more than the calumnies invented by the mad jealousy of the nobles, enraged to see a man raised only by his own transcendant merits so high above them, has ever been brought to show that Wallace had any designs upon the Scottish crown, other than to place it upon the head of him whom he considered as its most rightful owner. He seems to have fought, moreover, unactuated by any of the more vulgar impulses—with no hope of any of the vulgar rewards, and vulgar honours, that serve as a spur to military adventurers.

The motive that drove Bruce into open war against the great military talent and vast resources of Edward, was the very vulgar one, of a desire to wear a crown. But for certain circumstances, indeed, such as the murder of Comyn, that motive would probably never have been powerful enough to counterbalance the opposing motives. Indeed it is only in this way that it is possible to account for Bruce's conduct. Otherwise the desire

of royalty must have been strong indeed in his breast, a wealthy and powerful English as well as Scottish nobleman, to induce him to risk those great and solid advantages, for the precarious, miserable, and empty dignity of a Scottish crown. Once set in action, however, the motive continued to act, and that too, for a very considerable period of time, and through many difficulties, and many dangers, until the character of Bruce came out from the ordeal through which it had to pass, as a perfect weapon comes from the hands of its forger, tempered, and ground, and polished.

And yet even Bruce's great merit and services in behalf of the country, to wear the barren and thorny crown of which he had perilled and suffered so much, must not blind us to the fact, that he has no claim to rank with such men as Wallace, and Tell, and Doria, and Washington—men who have made the freedom of their country the end for which they fought, and not merely the means by which they were to attain an ulterior and selfish end of their own. The path which Robert Bruce trod, has been trodden times out of number by bold and ambitious, but vulgar-minded men, when they considered such prizes as he attained, attainable by the dangers which they braved, and the efforts of valour which they made. Such men have for their moving principle the lowest impulses by which human beings are governed; and the moving principle of Bruce was not a whit more noble than that of the other Scottish nobles, most of whom opposed him until they discovered that his was likely to be the gaining cause, when they began to flock to his standard, just as another set of animals, to whom they were morally not at all, and intellectually not much superior, carrion-crows, follow an army for prey, or crowd croaking to the spot where a carcase promises them a luxurious banquet.

And that worthy nobility, with the only species of consistency which they thought fit to cultivate, as they had deserted and betrayed him in life through his glorious and immortal career, deserted and betrayed him to the last, even in death. Instead of a coronet and chain of gold, the usual insignia of honour, the coveted rewards of valour, though not of virtue, he was graced with a crown of iron and a halter, or perhaps to speak more accurately, with the sharp edge of the headsman's death-axe. But those, alone, would have been light: his rewards besides were those tortures, revolting to humanity, which had been invented by barbarian kings, to secure and perpetuate their oppression. And the atrocious and ungenerous tyrant refused to the desecrated remains of his murdered and mangled victim even the decencies of the grave. That heroic countenance, at

the very sight of which his enemies had so often trembled and fled, was exposed like that of a wolf, or some ignoble beast of prey, to the gaze, and, if that were possible, to the derision of the brutalized rabble of London, that Englishmen might learn to look upon it, and to listen to the sound of his dreaded name without experiencing the inconveniences of the extreme agonies of physical terror.

But though his country can boast of no tomb—no gorgeous temple—no lofty column—not even the humblest tablet—to serve as a respectful memorial of him who died and suffered so much for her,—who redeemed her from the galling fetters and the more galling shame of servitude to a stranger, and then for his reward underwent the tortures of a cruel and ignominious death,—his memory will not perish from her bleak hills and winding valleys until the race of human beings that now inhabits them hath passed away.

Greece would have dedicated to such a man many a temple, and many an altar; and would have heaped upon his name and memory the highest and most attractive honours of her hero-worship. But though Wallace has no temples in the land of his birth, which he lived and died to save, his memory is not without its sanctuary,—and that too in a land where idol-worship is held in especial abhorrence. His temple is in the heart of every free-born peasant who treads the hills and valleys of his native land; such a shrine is more befitting such a man as William Wallace than even the lay of the poet or the page of the historian. And yet we may be allowed to transcribe the eloquent and classical eulogium of George Buchanan. "Hunc finem vitæ," says the historian, "habuit vir sui temporis longe præstantissimus, in suscipiendis periculis animi magnitudine, in rebus gerendis fortitudine et consilio clarissimis veterum ducibus facile comparandus; caritate in patriam nemini secundus: qui servientibus cæteris solus liber, neque præmiis adduci neque metu cogi potuit, ut causam publicam semel susceptam desereret: cujus mors eo miserabilior est visa, quod ab hoste invictus, a quibus minime debuit fuit proditus."

No man, not even a Scotchman, can be fully aware how immense is the debt which Scotland owes to Wallace, who has not been placed in boyhood in the midst of English boys of the north of England, where the memory of the old feuds and jealousies between the sister countries still in some degree exists. Such a one can alone tell how many a bitter taunt the desperate struggles of such men as Wallace and Bruce, have spared him, or enabled him to hurl back with interest. Next to Wallace and Bruce, moreover, Scotland

is indebted to Sir Walter Scott, for bringing forward to public view, and rendering prominent many of her better qualities, which had been obscured by the coarseness of their covering, or refused by old and barbarous national prejudices the consideration due to them, and thus rendering his country respectable and respected. This probably in the long run will have a tendency to make the pugnacious qualities of his young "long-legged and fair-haired countrymen," as he calls them in Quintin Durward, fall into decline, inasmuch as it will have a tendency to save them many a bloody pugilistic battle with the young Southrons, under the circumstances we have above alluded to. If we reckon in this way,—and we may well do so, with the addition moreover, that such taunts are not always confined to boys,—the debt due to a deliverer of his country from foreign dominion; in the lapse of ages, the amount of such a debt must indeed become enormous.

So much has been written on the subject of the Stuarts, in the form of dissertation, history, and romance,—and, if we consider what a poor set of creatures they were, so much more than the subject may seem to merit,—that we shall comprise in a very contracted space all we have to say concerning them. That the Stuarts were unfortunate no one will deny; nor will any one be surprised at it, who knows that vice and imbecility are usually attended by misfortune; and that disorder and ruin quickly overtake the affairs of those who want the industry and capacity to attend to them. This is an old truth; and it was enforced, but enforced in vain, more than two thousand years ago, upon the attention of men who, though not born kings, were as unfit to govern as the Stuarts, in words that are imperishable—in language that has long outlasted the State, which it was exerted to save. *Φύσει δ' ὑπάρχει τοῖς παροῦσι*, says the Athenian orator, *τὰ τῶν ἀμελούντων· . . . καὶ γὰρ συμμαχεῖν, καὶ προσέχειν τὸν νοῦν τούτοις ἐθέλουσιν ἅπαντες, οὓς ἂν ὁρῶσι παρεσκευασμένους, καὶ πράττειν ἐθέλοντας ἃ χρή.* [*Δημοσθ. κατα Φιλιπ. Α. γ'.*]. Out of the whole long line of the royal and Jove-nourished* Stuarts it is impossible to select a single prince, who possessed either the calm and rapid mind of a great commander, or the enlightened and comprehensive one of a great statesman. Upon the whole, perhaps, history cannot furnish us with an example, even if we examine the pompous roll of those unworthy minions of insane and unchecked power who have longest insulted the common sense and common decency of mankind, of

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* *Διοτρεφεες βασιλῆες*, Homer's expression, agrees well with the lofty pretensions to divinity of the later kings of that besotted race.

a more contemptible race, exalted by accident and circumstance above their fellows, than these domestic officers of the ancient Scottish kings.

We must notice something that may at least look like an exception. James the I. of Scotland was no ordinary man. He was a poet, and for his age and country, something of a statesman; indeed, far too much so to suit the taste of the barbarians among whom he lived. But his worthy and godly barons, perceiving that he was inclined to do some good, did not allow him to live long enough to make it appear, whether or not he could be considered as an exception. As a legislator, James is not intitled to any praise of a very high order. His was not one of those profound and sagacious minds that are formed, from their own mighty resources, to legislate for nations, to strike out new paths, to devise new expedients for the prosperity and happiness of mankind. Educated in England, he saw that the power or prerogative, as it has been called, of the king was greater there than in his own country; and very naturally wished to imitate such a fashion. Accordingly amid much that was bad, [see *Tytler*, vol. iii.] he copied something that was good from the English system of legislation. Evidence has already been adduced, both from Sir Walter Scott and Mr. Tytler, of the cruelty and ferocity of the Scottish aristocracy; the following are examples of the rapacity and oppression, which they were in the habit of exercising towards the other orders of the state.

'According to a common practice in that age, the lords and barons who stood forward against the king, entered into bonds or agreements of mutual defence and support, which were solemnly ratified by their oath and seal. The steward himself, with the earl of March, the earl of Douglas, the Steward's two sons, John Steward of Kyle, and Robert Steward of Menteith, and others of the most powerful nobility in the country, openly proclaimed, that they would either compel the king to renounce for ever his designs, and adhere to the succession, or would at once banish him from the throne. To shew that these were not empty menaces, they instantly assembled their retainers, and in great force traversed the country. The nobles who supported David were cast into prison, their lands ravaged, their unfortunate vassals and labourers, seized as legitimate spoil; and the towns and trading burghs, where those industrious mercantile classes resided, who had no wish to engage in political revolution, were cruelly invaded and plundered.'—*Tytler*, vol. ii. p. 141.

The following enactment of a parliament of David II., affords further evidence.

'It was especially directed that no barons or knights, travelling through the country with horse or attendants, should permit their

followers to insist upon quarter with the inferior clergy, or the farmers and husbandmen, so as to destroy the crops and meadows, and consume the grain; that they should duly and justly pay their expenses where they baited or took up their residence; and that the chamberlain shall take care that, in every burgh, such inns be erected and maintained according to the wealth of the place.—Vol. ii. p. 169-170.

The establishment of these inns gave rise in the third parliament of James I., convoked at Perth, upon the 12th of March, 1425, to a curious, and, according to the nineteenth century's ideas on the subject, a somewhat ludicrous enactment, which is entitled "Anent hostillaris in villagis and borowgis." 'It informs us,' says Mr. Tytler, [vol. iii. p. 246,] that hostlers, or innkeepers, had made very grievous complaints to the king against a villanous practice of his lieges, who, in their travel from one part of the country to another, were in the practice of taking up their residence with their acquaintances and friends, instead of going to the regular inns and hostelries; whereupon the sovereign, with counsel and consent of the three Estates, prohibits all travellers on foot or horseback, from rendezvousing at any station, except the established hostelrie of the burgh or village, and interdicts all burgesses or villagers from extending to them their hospitality, under the penalty of forty shillings. The higher ranks of the nobles and the gentry would, however, have considered this as an infringement upon their liberty, and it is accordingly declared, that all persons whose estate permits them to travel with a large retinue in company, are permitted to quarter themselves upon their friends under the condition that they send their attendants and horses to be lodged at the common hostelries.

The warfare which succeeded to the war of freedom carried on by Wallace and Bruce, consisted of little else on both sides, more especially on the side of the Scots, than a series of thieving expeditions, which enriched certain of the Scottish aristocracy, but were a source of constant impoverishment and misery to all besides in both countries. 'These repeated border raids, which drew after them no important results, are of little interest. They were of evil consequence, as they tended greatly to increase the exasperation between the two countries, and to render more distant and hopeless the prospect of peace; and they become tedious when we are obliged to regard them as no longer the simultaneous efforts of a nation in defence of their independence, but the selfish and disjointed expeditions of a lawless aristocracy, whose principal objects were plunder and military adventure.'*

* *Tytler*, vol. iii. p. 19.

It was thus that the potent house of Douglas attained such a degree of power and opulence: and upon its fall, that power and that opulence were broken down and distributed among the shoals of small subordinate thieves, who had before exercised their respectable profession under its august auspices in the capacity of retainers, or vassals, and even bondsmen. This was the origin of the greatness of the great border herds, hordes, or families of the present day, the heads of some of whom are among the wealthiest of the wealthiest aristocracy on the face of the earth. For an illustration of this we refer the reader to Sir Walter Scott's account of the fall of the great house of Douglas.

The two first monarchs of the house of Stuart, though feeble, appear to have been quiet and well-disposed persons. But their good tendencies, unsupported by strength of character, were of no avail amid such an aristocracy. 'The desire of remaining at peace, which was felt by both monarchs (Robert II. and Richard II.) might have been expected to have averted hostilities for some time; yet such was the influence of a powerful and restless aristocracy, that previous to the expiring of this truce, Scotland, blind to her real interests, again consented to be involved in a negotiation with the French king, which eventually entailed upon the nation the calamities of a war, undertaken with no precise object, and carried on at an immense expense of blood and treasure.'—*Tytler*, vol. iii. p. 23.

There is a curious anecdote preserved by Fordun, illustrative of the very early expulsion of brevity and simplicity from legal proceedings. It is thus related by Mr. Tytler, vol. iii. p. 47:—

'Amid the plunder, an ancient Saxon charter of King Athelstane, with a waxen seal appended to it, was picked up by some of the soldiers, and carried to the Earl of Fife, afterwards the celebrated Regent Albany. Its lucid brevity astonished the feudal baron. "I, King Athelstane, giffys here to Paulan, Oddam and Roddam, als gude and als fair, as ever that myn war; and thairto witnes Mald my wyf." Often, says the historian, after the Earl became Duke of Albany and Governor of Scotland, when the tedious and wordy charters of our modern days were recited in the causes which came before him, he would recall to memory this little letter of King Athelstane, and declare there was more truth and good faith in those old times than now, when the new race of lawyers had brought in such frivolous exceptions and studied prolixity of forms. It is singular to meet with a protestation against the unnecessary multiplication of words and clauses in legal deeds, at so remote a period.'

To the third volume of his work Mr. Tytler has appended a dissertation, in which we think, taking the positive and nega-

extreme haste; so that Douglas's harness was in many places unclasped, and the Earl of March actually fought all night without his helmet. One circumstance connected with the death of Douglas is too characteristic of the time to be omitted. His chaplain, a priest of the name of Lundie, had followed him to the war, and fought during the whole battle at his side. When his body was discovered, this warrior clerk was found bestriding his dying master, wielding his battle-axe, and defending him from injury. He became afterwards Archdeacon of North Berwick."

Mr. Tytler agrees with Froissart in thinking that there never was a more chivalrous battle than this of Otterburn. He says,

"The singular circumstance under which it was fought, in a sweet moonlight night, the heroic death of Douglas, the very name of Hotspur, all contribute to invest it with that delightful character of romance, so seldom coincident with the old realities of which history is composed; and we experience, in its recital, something of the sentiment of the famous Sir Philip Sidney, "who never could hear the song of the Douglas and Percy without having his heart stirred as with the sound of a trumpet."'

But Mr. Tytler very justly adds:—

'It ought not to be forgotten, that it was solely a chivalrous battle: it had nothing great in its motives, and nothing great in its results. It is as different in this respect from the battles of Stirling and Bannockburn, and from the many contests which distinguished the war of liberty, as the holy spirit of freedom from the petty ebullitions of national rivalry, or the desire of plunder and revenge. It was fought at a time when England had abandoned all serious designs against the independence of the neighbouring country, when the king and the great body of the Scottish people earnestly desired peace, and when the accomplishment of this desire would have been a real blessing to the nation; but this blessing the Scottish aristocracy, who, like the feudal nobles of England and France, could not exist without public or private war, did not appreciate, and had no ambition to see realized. The war originated in the character of this class, and the principles which they adopted; and the power of the crown, and the influence of the commons, were yet infinitely too feeble to check their authority. On the contrary, this domineering power of the great feudal families was evidently on the increase in Scotland, and led, as we shall see in the sequel, to very dreadful results.'—Vol. iii. pp. 56—63.

And "this class," true to their "character" and their "principles," has remained unaltered. If they have lost the power of cutting and maiming their fellow-subjects and burning their dwellings, the "influence of the commons" is still too feeble to prevent them from robbing them, and running them into debt sufficient to make the most sanguine despair.

Upon the whole, Scotland will be greatly indebted to Mr.

Tytler for the history of which he has already afforded so favourable a specimen. The want of such a history, complete, authentic, and ably written, has been long and deeply felt; and Mr. Tytler, by supplying the desideratum, will have rendered a service of no ordinary importance to his country. There are, it is true, already in existence several modern histories of Scotland. But unfortunately those of them that possess any degree of excellence are rather fragments of Scottish history than Scottish histories. From the recollection we retain of the others (which in the early enthusiasm of historical studies we not only attempted to read, but read), we should now be strongly inclined to pronounce them unreadable. Besides the advantages of general talent and acquirement, Mr. Tytler possesses over these writers the additional and important advantage of having had recourse to sources of information which have not hitherto been explored. His style is, on the whole, good—though defaced occasionally by feeblenesses and inaccuracies which are unworthy of the author. We could cite several examples of tautological expressions; but we abstain from doing so, confident that Mr. Tytler's good taste will remove most of them from a second edition. There is one mode of incorrect expression, however, which, as it is not quite so obvious, it may be proper to notice. There is an example of it in vol. iii. p. 23, "might have been expected to have averted." Here the objection is to the second perfect. It is meant to be expressed, that at a given time *past* a certain act might be expected to avert a certain other act. Now the first perfect or rather pluperfect "might have been expected," completely effects the purpose of throwing back the mind of the reader to the "time past" in question. And the mind being thus thrown back, of course every thing then happening is to it in the relation of present. Consequently in such cases the second, viz. the infinitive verb should always be in the present tense: and the expression in question should stand, "might have been expected to avert." If Mr. Tytler will consult any of the classical Roman writers, who are in general much more philosophically accurate in the employment of the tenses than we are, he will find that the best writers (Cicero for example) invariably gives to one of the verbs a present signification, and generally puts the infinitive verb in the present and not in the perfect.

These volumes also contain many indications that the business of correcting the press has been imperfectly performed. It seems doubtful, however, whether the following inconsistency is to be referred to that cause. Mr. Tytler says [vol. ii. p. 114] "The ransom finally agreed on was a hundred thousand pounds,

to be paid by annual instalments of four thousand pounds." "It was also declared, that until payment of the ransom there should be a ten years' truce between the kingdoms." How could a hundred thousand pounds be paid in ten years at the rate of four thousand pounds a year? Again [p. 125] he says, "he had already paid the first ten thousand marks."

There is also a glaring and, to the reader, most troublesome and perplexing inconsistency in his account of the pedigree of the competitors for the Scottish crown after the death of Alexander 3rd. Such oversights,—for in such a writer as Mr. Tytler they cannot proceed from ignorance,—are, to every reader who desires to receive clear ideas from what he reads, an exceeding annoyance, and ought to be proportionally avoided by every writer who aims at any object higher than that of helping to dispel the ennui of the lowest-minded, least intellectual, and least enlightened of his species. Sir Walter Scott's account of the transaction above alluded to is no less distinguished for its clearness than for its brevity.

There is in Sir Walter Scott [*History*, vol. i. p. 11] a glaring instance of a *non sequitur*, which, though it evidently arises from haste, or an inadvertent transposition of the sentences, we are induced to allude to on account of the perplexity which it may occasion to many, particularly as the book is intended for wide circulation. We transcribe the passage:—

'Ungaria, sister of Ungus, king of Picts, was married to Aycha 4th, king of Scots, and their son Alpine succeeding his father as king of Scots, flourished from 833 to 836, in which last year he was slain, urging some contests in Galloway. The Pictish throne, then thrown open for want of an heir male, was claimed by Kenneth, son and successor of Alpine, who, as descended of Ungaria, the sister of Ungus, urged his right of inheritance with an army. Wrad, the last of the Pictish monarchs, died at Forteviot, in 842, fighting in defence of his capital and kingdom, and the Pictish people were subdued.'

Now it is here observable that if the third of these three sentences be placed second, and the second third, sense and a *sequitur* will be obtained; as they stand they are unintelligible.

Art. III.—*Memoirs, Correspondence, and Private Papers of Thomas Jefferson, late President of the United States.* Now first published from the original Manuscripts. Edited by Thomas Jefferson Randolph. 4 vols. 1829. Colburn and Bentley.

THIS is one of the most important publications ever presented to the world. In the catalogue of the benefactors of man-

kind, few deserve so high a station as Thomas Jefferson. As the author of the Declaration of Independence, and as one of the principal movers of the North American Revolution, his claims on the gratitude and admiration of posterity are divided with Washington, Franklin, and others, so excellent in their respective spheres, that it might be difficult, and would certainly be invidious, to say which was the most wise, the most disinterested, the most persevering in the perilous, and, at times, almost hopeless path, of arduous and self-devoting duty. But American liberty was destined to a second, scarcely less perilous, though less conspicuous struggle; a struggle in which there were no wounds, and guns, and drums, to fix the attention of Europe; but one in which the best energies of feeling and thought were necessary to save the United States from the effects of the vague terrors, with which many of their well-meaning citizens were inspired by the excesses of the French Revolution; and which, being worked on with all the arts of persuasion, by a large and influential party, in possession, for a time, of the government, who saw, or professed to see, no safety or permanence for political institutions, but in a government of corrupt influence, had very nearly thrown the young republic into the arms of something very like our own happy aristocratical constitution. The good sense of the bulk of the people preserved them from this blessing; but the main glory of the signal victory over the domestic enemy belongs, on this occasion, undividedly to Jefferson.

The doctrines of anarchy and confusion, as they were called here; the doctrines against which, under the watchword of "social order" and shouts "for God and the King," we fired away in thirty years nearly three thousand millions of money in gunpowder, including the cost of the machinery, animate and inanimate, by which the said gunpowder was borne over land and sea for the final purposes of ignition, rarefaction, expansion, and explosion; the doctrines of the right of the possessors of life and property to choose for themselves the legislators who dispose of that life and property; of the right of the governed to discuss fully and freely, in censure as in praise, the public measures of their rulers, and the principles of their political and religious institutions; these doctrines were brought at once and efficiently into action on the accession of Jefferson to the Presidency, and "the dissolution of social order," which our fire-and-sword logicians so long and confidently preached as the infallible consequence of the establishment of such maxims of government, consisted in the total abolition of internal taxes, in the rapid extinction of national debt, in the preservation of peace

with all the world, in the bloodless acquisition of the important territory of Louisiana, and the complete possession of the Mississippi, in the efficient protection and ample reward of domestic industry, and in the establishment, beyond the reach of injury from the combined despotisms of the earth, of an asylum for the oppressed and unfortunate of all nations.

Mr. Randolph, the editor of these volumes, has done little more than publish Jefferson's papers as he found them; not supplying any connecting link, nor even the date of Jefferson's death. We do not much object to this, because to impose on an executor the necessity of being an author, might be the cause of depriving the world of many valuable remains. All that can fairly be required from any one, to whom the papers of another are consigned in trust for the public, is an early and ungarbled publication of all that do not in any way trespass on the privacy of the living. To require more would be to require what must be sometimes difficult, sometimes impossible, and always a source of delay. The publication before us carries with it intrinsic evidence of being an honest and complete publication of all papers of public interest. The sanctity of private life is respected throughout. It abounds with materials of knowledge and reflection to the historian, the philosopher, the patriot, the philanthropist; with examples of high encouragement to all who make it their study to ameliorate the condition of their fellow-men; examples of the noblest objects of public good, pursued through good and evil fortune, through good and evil report, with undeviating and inflexible rectitude.

The first paper in the collection is a memoir of himself, which Jefferson began in 1821, at the age of seventy-seven, but which he did not bring down later than the 21st of March, 1790. The first settler of the family appears to have been from the vicinity of Snowdon, a fact which may be recorded to the honour of Wales, though Jefferson is not a Cymric name. This must have been at a very early period of the American settlements. Jefferson's father was the first of the family who occupied the lands which Jefferson inherited, called Shadwell, in Virginia.

Jefferson himself was born in 1743 or 1744: he always concealed his birth-day, that it might not be publicly celebrated. He saw in such celebrations a germ of aristocratical distinctions; and discouraged them, to the extent of his power, both by precept and example. He received a tolerably good education, which he finished at William and Mary College in 1762. He then became a student of law, and in 1767 was inducted to the bar, at which he continued till the Revolution.

In 1769, he became a member of the Virginia Legislature.

In 1772, he married Mrs. Bathurst Skelton, a widow of twenty-three. In 1774, when the bill had passed in the English Parliament for shutting up the Port of Boston on the 1st of June, he was one of the young members of the Virginia Legislature, who (as always happens in great emergencies) took the lead out of the hands of the old ones, and who carried a Resolution for fixing on the 1st of June as "a day of fasting, humiliation, and prayer, to implore Heaven to avert from us the evils of civil war, to inspire us with firmness in support of our rights, and to turn the hearts of the King and Parliament to moderation and justice." The effect of this measure on the minds of the people appears to have been very great. Jefferson was one of the first delegates to the Convention, which was then elected for choosing delegates to a general Congress of the Colonies, which met for the first time, at Philadelphia, on the 5th of September, 1774. He was himself one of the delegates to the second Congress, in which he took his seat on the 21st of June, 1775.

On the 7th of June, 1776, the delegates from Virginia (Jefferson being one), in obedience to instructions from their constituents, proposed to Congress to declare the Colonies independent of Great Britain. The proposal was adopted. Jefferson drew up the Declaration, which, after three days of discussion, was carried with some alterations, and signed by every member present, except one. It affords a remarkable proof of the general good sense and judgment of the members of this Congress, that every change which was sanctioned in this most important of documents was a change for the better.

On the 1st of June, 1779, Jefferson was appointed governor of the Commonwealth of Virginia. At the end of the second year he resigned his administration, from a persuasion that under the pressure of invasion the civil and military power should be united in a military commander: General Nelson was appointed to succeed him. About this time he appears to have been marked out as an especial object of vengeance by Lord Cornwallis.

'Lord Cornwallis then proceeded to the Point of Fork, and encamped his army from thence all along the main James River, to a seat of mine, called Elk-hill, opposite to Elk Island, and a little below the mouth of the Byrd Creek. [You will see all these places exactly laid down in the map annexed to my notes on Virginia, printed by Stockdale.] He remained in this position ten days, his own head-quarters being in my house at that place. I had time to remove most of the effects out of the house. He destroyed all my growing crops of corn and tobacco; he burnt all my barns, containing the same

articles of the last year, having first taken what corn he wanted; he used, as was to be expected, all my stock of cattle, sheep, and hogs, for the sustenance of his army, and carried off all the horses capable of service; of those too young for service he cut the throats; and he burned all the fences on the plantation, so as to leave it an absolute waste. He carried off also about thirty slaves. Had this been to give them freedom he would have done right; but it was to consign them to inevitable death, from the small pox and putrid fever then raging in his camp. This I knew afterwards to be the fate of twenty-seven of them: I never had news of the remaining three, but presumed they shared the same fate. When I say that Lord Cornwallis did all this, I do not mean that he carried about the torch in his own hands, but that it was all done under his eye; the situation of the house in which he was, commanding a view of every part of the plantation, so that he must have seen every fire. I relate these things on my own knowledge, in a great degree; as I was on the ground soon after he left it. He treated the rest of the neighbourhood somewhat in the same style, but not with that spirit of total extermination with which he seemed to rage over my possessions. Wherever he went the dwelling-houses were plundered of every thing which could be carried off. Lord Cornwallis's character in England would forbid the belief that he shared in the plunder; but that his table was served with the plate thus pillaged from private houses can be proved by many hundred eye-witnesses.'—Vol. ii. p. 336.

On the 6th of June, 1783, he was appointed by the Legislature of Virginia a delegate to Congress, which was then sitting at Annapolis; and was one of the delegates who ratified the definitive treaty of peace which was signed at Paris on the 3rd of September, 1783, and ratified in Congress, without a dissenting voice, on the 14th of January, 1784.

On the 7th of May following, he was appointed a minister plenipotentiary, in addition to Mr. Adams and Dr. Franklin, for negociating treaties of commerce with foreign nations. He arrived at Paris in August, accompanied by Dr. Franklin from Passy, and being shortly afterwards joined by Mr. Adams from the Hague. He remained in Europe till October, 1789, and witnessed the origin of the French Revolution, respecting which his correspondence gives much interesting and authentic detail, and much valuable opinion; and his observations are recapitulated in his unfinished Memoir. In this Memoir, begun, be it remembered, in 1821, he winds up this portion of his subject thus:—

'Here I discontinue my relation of the French Revolution. The minuteness with which I have so far given its details, is disproportioned to the general scale of my narrative. But I have thought it justified, by the interest which the whole world must take in this Revolution. As yet we are but in the first chapter of its history. The appeal to

the rights of man, which had been made in the United States, was taken up by France, first of the European nations. From her the spirit has spread over those of the South. The tyrants of the North have allied indeed against it, but it is irresistible. Their opposition will only multiply its millions of human victims; their own satellites will catch it, and the condition of man through the civilized world, will be finally and greatly ameliorated. This is a wonderful instance of great events from small causes. So inscrutable is the arrangement of causes and consequences in this world, that a two-penny duty on tea, unjustly imposed, in a sequestered part of it, changes the condition of all its inhabitants.'—Vol. i. p. 90.

Jefferson returned to America at the end of 1789, on a temporary leave of absence; but he had scarcely landed in America, when he received from General Washington (then President) the appointment of Secretary of State, which prevented his intended return to Paris. Much as the cessation of his invaluable testimony to the progressive events of the French Revolution is to be lamented, it is still evident that his proper sphere of action was in America. His residence in Europe had served, by the contrasts which were continually before his eyes in the condition of the people, to confirm him in the love of the young institutions of his own country; and his presence in America was essential to the existence of those institutions. Hamilton, the Secretary of the Treasury, a staunch federalist, carried through many measures which Jefferson cordially disapproved; amongst others a tax on home-distilled spirits, which laid the foundation of an Excise, produced dissatisfaction and open resistance, and had nearly broken up the Union. Hamilton's object was, to strengthen the hands of the general government, to give it sufficient strength to do right in spite of the people.

'At a cabinet dinner in April, 1791, Adams having said of the British Constitution, "Purge that Constitution of its corruption, and give to its popular branch equality of representation, and it would be the most perfect Constitution ever devised by the wit of man;" Hamilton paused, and said, "Purge it of its corruption, and give to its popular branch equality of representation, and it would become an impracticable government: as it stands at present, with all its supposed defects, it is the most perfect government which ever existed." "And this," says Jefferson, "was assuredly the exact line which separated the political creed of these two gentlemen. Adams was for two hereditary branches and an honest elective one; Hamilton for an hereditary king, with a House of Lords and Commons corrupted to his will, and standing between him and the people." '—Vol. iv. p. 461.

Certainly of all the men that ever set about establishing a "firm of Corrupter-General and Company" on the other side of

the Atlantic, Hamilton was one of the most zealous and efficient. Proceeding on the principle, that man could be governed by one of two motives only, force or sinister interest, and that force in the United States was out of the question, he adapted his financial schemes to the securing of a majority in Congress. The act for paying off at par the certificates of debt given in the latter part of the Revolution, was one of these schemes. Many of these certificates had been sold by the original holders at two shillings in the pound. As soon as the passing of the act was foreseen by Hamilton and his friends, expresses were sent all over the Union to purchase up the certificates, before the holders, in the more distant places especially, could possibly know that Congress had provided for their redemption at par. "Immense sums were thus filched from the poor and ignorant, and fortunes accumulated by those who had themselves been poor enough before. Men thus enriched by the dexterity of a leader, would follow of course the chief who was leading them to fortune, and become the zealous instruments of his enterprises."

Another of Hamilton's fiscal manœuvres was the Assumption. The debts contracted, and the money expended, by the separate States during the war, was pretended to have been for general purposes; the amount, not being ascertainable, was guessed to be twenty millions; the fair distribution of these twenty millions among the several States was the subject of another guess; and those who, in the midst of all this guessing, guessed that the partisans of the Treasury got the largest share of the spoil, were not the least correct guessers on the occasion.

Hamilton did not, and could not, corrupt a majority of the Congress; but his purchased partizans turned the balance which the honest men of both parties had held nearly in equipoise. His next scheme was the Bank of the United States at Philadelphia, which, till the seat of government was removed to Washington, gave the Treasury great and permanent influence in the appointment and re-appointment of members of both Houses as Directors.

General Washington did not understand these devices, and Jefferson, to whom they were abhorrent, determined to withdraw from all political connection with their authors and supporters. He would allow of no compromise with the first steps of despotism; he would give the General Government no power which the State Government could exercise; he would have the General Government strong to execute the national will, and impotent to coerce it; he would furnish it with no means of corruption, or of intimidation, or of delusion. He was less dismayed by the temporary excesses of the French Revolution, than fixed in his

abhorrence of the inflictions of unrestrained power which had preceded and caused it. Washington vainly endeavoured to reconcile Jefferson and Hamilton, to induce them to draw together for the advancement of public business. It was impossible; their principles were wide as the poles asunder. Jefferson resigned his office on the 31st of December, 1793.

"This gentleman," says the biographer of General Washington, "withdrew from his political station at a moment when he stood particularly high in the esteem of his countrymen. His fixed opposition to the financial schemes which had been proposed by the Secretary of the Treasury, and approved by the legislative and executive departments of the government; his ardent and undisguised attachment to the revolutionary party in France; the dispositions which he was declared to possess in regard to Great Britain, and the popularity of his opinions respecting the constitution of the United States, had devoted to him that immense party, whose sentiments were supposed to comport with his, on most or all of these interesting subjects.

"To the opposite party he had of course become particularly unacceptable; but the publication of his correspondence with M. Genet, dissipated much of the prejudice which had been excited against him. He had in that correspondence maintained, with great ability, the opinions embraced by the federalists on those points of difference which had arisen between the two republics, and which, having become universally the subjects of discussion, had in some measure displaced those topics on which parties had previously divided. The partiality for France that was conspicuous through the whole of it, detracted nothing from its merit in the opinion of the friends of the administration, because, however decided might be their determination to support their own government in a controversy with any nation whatever, they felt all the partialities for that republic which the correspondence expressed. The hostility of his enemies therefore was, for a time, considerably lessened, without a corresponding diminution of the attachment of his friends. In office it would have been impracticable long to preserve these dispositions; and it would have been difficult to maintain that ascendancy which he held over the minds of those who had supported, and probably would continue to support, every pretension of the French republic, without departing from principles and measures which he had openly and ably defended."—See Marshall's *Life of Washington*, vol. v. page 406.

Jefferson resided in retirement at his seat, Monticello, on his paternal estate in Virginia, from the beginning of 1794, till the Spring of 1797, when John Adams was elected President and

Jefferson Vice-President, for four years, from the 4th of March. We may remind our readers incidentally, that the first President and Vice-President of the United States were general Washington and John Adams, who were elected for four years, from the 4th of March, 1789, and re-elected for four years, from the 4th of March, 1793.

The office of Vice-President did not impose much public duty on its holder, and consequently did not much interrupt the domestic retirement of Jefferson, who, differing decidedly from the President, on almost all essential points of politics, abstained as much as possible from interference in the business of government.

The federalists (as the advocates for a strong General Government were called), made great strides towards Anglicising the American constitution during the Presidency of Adams. Amongst other blessings, they established a Libel-law, making all printed matter that did not please them, seditious and blasphemous. They were for a strong hand over every thing, the press included. It is futile to say of them, as some of their advocates do, that they were as true republicans as their opponents, and had no intention to introduce either monarchy or aristocracy. It is sufficient for us to be convinced that the tendency of their measures was to introduce one or both of them. If they had brought about such a result, it would have been no satisfaction to the friends of liberty to be assured, that the authors of the mischief were men of honesty and honour, who had gone further than they intended. Hell is paved with good intentions; but heaven forbid that any portion of the pavement should be made of the liberties of America.

Now came the Presidential elections of 1800. The republicans, thoughout the States, felt the necessity of arousing themselves to restore and preserve the purity of their constitution. The federalists, on the other hand, redoubled their exertions to maintain the ground they had gained, and the excesses committed by the French people on breaking the chains of centuries, had terrified many well-meaning persons into the federal ranks. The comparative strength of the parties was doubtful; and had not the high moral and political character of Jefferson presented itself as a rallying point for the republicans, the triumph of the federalists would have been secure. It is impossible to read the events and opinions of that time, without perceiving that never were the best interests of mankind in more imminent danger. This election was not like one of ours, a mere contest of nick-names: it was really and truly a contest for civil and religious liberty, against the principles of despotism.

The federal candidates for the Presidency and Vice-Presidency were Adams and Pinckney; the republican candidates were Jefferson and Burr.

At that time (for the law has since been altered) the State electors did not vote for President and Vice-President distinctly, but the highest number of votes determined the President, and the next highest number the Vice-President. The intention of the republicans was to have Jefferson President, and Burr Vice-President; but the votes for them were equal: the numbers being, Jefferson 73; Burr 73; Adams 65; Pinckney 64. The choice between the two highest candidates devolved on Congress, and it became the object of the federalists to defeat the intention of the republicans, by making Burr President. The law required that the successful candidate should have, not merely a majority in Congress, but a majority of all the States. There were then sixteen States in the Union. Two of these neutralised their votes by taking opposite sides. Eight voted for Jefferson, six for Burr. Nine votes were required for a majority of the States. The Congress voted thirty-five times on this question. At length some of the less factious of the federalists became alarmed, and the first votes were ten for Jefferson, and four for Burr.

If the original opposition had been persevered in, there would have been no election, and the federalists had it in contemplation to nominate a President of the Senate *pro tempore* by what, they said, would be only a stretch of the constitution. The republican party met this menace by declaring their intention, in the event of the constitution being so stretched, to call a convention for re-organising and amending the government. This was and is the constitutional remedy for abuses of power in the American Legislature.

'If they could have been permitted,' says Jefferson to Monroe, 'to pass a law for putting the government into the hands of an officer, they would certainly have prevented an election. But we thought it best to declare, openly and firmly, one and all, that the day such an act passed, the middle States would arm, and that no such usurpation, even for a single day, should be submitted to.

'This first shook them, and they were completely alarmed at the resource for which we declared; to wit, a convention to re-organise the government, and to amend it. The very word convention gives them the horrors, as in the present democratical spirit of America, they fear they should lose some of the favourite morsels of the constitution. Many attempts have been made to obtain terms and promises from me. I have declared to them unequivocally, that I would not receive the government on capitulation—that I would not go into it with my hands tied.'—Vol. iii. p. 460.

In another place Jefferson says,—

'When the election between Burr and myself was kept in suspense by the federalists, and they were meditating to place the President of the Senate at the head of the government, I called on Mr. Adams, with a view to have this desperate measure prevented by his negative. He grew warm in an instant, and said, with a vehemence he had not used towards me before, "Sir, the event of the election is within your own power. You have only to say you will do justice to the public creditors, maintain the navy, and not disturb those holding offices, and the government will instantly be put into your hands. We know it is the wish of the people it should be so." "Mr. Adams," said I, "I know not what part of my conduct in either public or private life, can have authorised a doubt of my fidelity to the public engagements. I say, however, I will not come into the government by capitulation; I will not enter on it but in perfect freedom to follow the dictates of my own judgment." '—Vol. iv. p. 161.

When the election was determined in Jefferson's favour he expressed himself as follows, to John Dickinson :—

'The storm through which we have passed has been tremendous indeed. The tough sides of our argosie have been thoroughly tried: her strength has stood the waves into which she was steered, with a view to sink her. We shall put her on her republican tack, and she will now shew, by the beauty of her motion, the skill of her builders. Figure to yourself apart, our fellow citizens have been led hood-winked from their principles, by a most extraordinary combination of circumstances. But the band is removed, and they now see for themselves. I hope to see shortly a perfect consolidation, to effect which, nothing shall be spared on my part, short of the abandonment of the principles of our revolution. A just and solid republican government maintained here, will be a standing monument and example for the aim and imitation of the people of other countries; and I join with you in the hope and belief that they will see, from our example, that a free government is of all others the most energetic; that the inquiry which has been excited among the mass of mankind by our revolution, and its consequences, will ameliorate the condition of man over a great portion of the globe. What a satisfaction have we in the contemplation of the benevolent effects of our efforts, compared with those of the leaders on the other side, who have discountenanced all advances in science as dangerous innovations, have endeavoured to render philosophy and republicanism terms of reproach, to persuade us that man cannot be governed but by the rod, &c. I shall have the happiness of living and dying in the contrary hope.'—Vol. iii. p. 462.

Jefferson, in one of his subsequent letters calls the result of this first contest the Revolution of 1800 :—

'It was as real a revolution in the principles of our government as that of 1776 was in its form; not effected, indeed, by the sword, as that, but by the rational and peaceable instrument of reform—the suf-

frages of the people. The nation declared its will by dismissing functionaries of one principle and electing those of another, in the two branches, executive and legislative, submitted to their election.'—Vol. iv. p. 324.

The principles then established have been the governing principles from that time to the present. At Jefferson's second election in 1804, he received 162 votes against 14; and it is a most remarkable circumstance, and one which speaks volumes in favour of the elective system and the manner of conducting it in America, that the two men who appear in the whole course of his previous correspondence to have been most after his own heart—Madison and Monroe,—were those who succeeded him for eight years each in the Presidency, accomplishing "twenty-four years of administration in republican forms and principles," which (changing, as we confidently may do, the language of Jefferson from the future to the past) have "so consecrated them in the eyes of the people as to secure them against the danger of change." * The election of General Jackson, after the younger Adams had served four years only, strongly confirms this opinion.

The administration of Jefferson was, as has been observed by Waden,† "perhaps the first instance in the history of parties, of a body of men raised to power abiding faithfully by the principles they had professed during their exclusion, and with self-denying honesty labouring to diminish the amount of influence and patronage they received from their predecessors." This administration was distinguished by many important events:—The entire abolition of internal taxes—the repeal of the alien law—the extinction of the seditious libel law—the effective diminution of the national debt—the reduction of the annual expenditure—the discarding of all forms of state—the extinction of the native right to a hundred million acres of the national domain—the purchase of Louisiana—and "the preservation of peace with the civilized world through a season of uncommon difficulty and trial."‡

To this catalogue of inestimable benefits to his country and the world it would, be idle to look for anything *simile aut secun-*

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* 'Nor is the election of Monroe an inefficient circumstance in our felicities. Four-and-twenty years, which he will accomplish, of administration in republican forms and principles, will so consecrate them in the eyes of the people as to secure them against the danger of change.'—*Jefferson to La Fayette, May* 14, 1817.—Vol. iv. p. 312.

† "Statistical, Political, and Historical Account of the United States," vol. iii. p. 489.

‡ Address of the General Assembly of Virginia, vol. iv. p. 449.

dum in the longest reigns which history calls glorious. Of contrasts there is a miserable superabundance; and will be, till men shall be wise enough, throughout the world, to give more honour to their benefactors than to their destroyers.

Jefferson established the inviolate liberty of the press, and maintained it inviolate in spite of the strongest personal temptations to the contrary; for never were mendacity, calumny, and scurrility carried to a more unblushing extent, than in the attacks on his character in the federal papers during his administration. We speak from our most distinct recollection of the American newspapers of that time. His forbearance only stimulated further outrages; but he opposed to them, in calmness and silence, the shield of his own undeviating rectitude; and wisely did he so, as the immense majority by which he was re-elected, and the testimonials of public approbation which accompanied him into retirement, abundantly testify.

He had very early expressed an opinion, that it would be "better to have newspapers without a government, than a government without newspapers." When at a time long subsequent to this he expressed his conviction of "the melancholy truth, that a complete suppression of the press could not more effectually deprive the nation of its benefits than was done by its abandoned prostitution to falsehood," and by "the demoralising practice of feeding the public mind habitually on slander, and the depravity of taste which this nauseous aliment induces," he still never thought for a moment of repressing or circumscribing public discussion by positive law. He placed the strongest reliance on the good sense of the people to counteract the misleadings of the press; and at a still later period (Nov. 1823) he repeated his original and unaltered opinion:—"The only security for honest and unoppressive government is in a free press. The agitation it produces must be submitted to. It is necessary to keep the waters pure."

After his retirement from the presidency he was elected a visitor and rector of the University which was founded within a few miles of his seat, Monticello; and he divided his time between the superintendence of this institution, the business of his farm, and reading; carrying on at the same time a very extensive correspondence, much of it against his will; but he seems, though free from most superstitions, to have been not free from that of thinking it necessary to answer letters; and as he received one thousand two hundred and sixty-seven in a single year, we may see to what an extent he was a victim to his urbanity. He says he had rather be a cabbage than have to write so many letters; this, too, with a crippled wrist. The

majority of these were "letters of inquiry, always of good will —sometimes from friends—oftener from persons unknown, but written kindly and civilly, and to which, therefore, civility required answers."

Barring this dreadful infliction, his submission to which is wonderful, his life in retirement seems to have been a happy one, though latterly embittered by pecuniary difficulties. He had necessarily neglected his patrimonial estate during the course of his public life. He had gained nothing in the public service, and had retired from office "with hands as clean as they were empty." He had to pay 1200 dollars on account of some guarantee for a friend, and he felt this very severely on the depreciation of land and produce, which was consequent on one of the periodical explosions in the wretched paper-currency of America. He applied to Congress for permission to dispose of his estate by lottery. The application was rejected; wisely, we think, on general principles: though, if an exception were ever to be admitted, this was undoubtedly the case. There is much to be said on both sides, and we have not space for the discussion.

The friendship between Jefferson and Adams, which had existed for years, when it was interrupted by the circumstances which placed them in opposition to each other as the heads of the federal and republican parties, was renewed after Jefferson's retirement, and appears to have continued uninterrupted till their deaths. Jefferson and Adams, by a singular coincidence, died both on the same day, the 4th of July, 1826, the fiftieth anniversary of the Declaration of Independence: Jefferson being then eighty-two, and Adams nearly ninety.

The last letter in these volumes is from Jefferson to Mr. Weightman, dated ten days before his death, June 24th, 1826, expressing his sorrow at being unable to be present at the celebration of this fiftieth anniversary in Washington. The calm judgment of his age adhered with undiminished earnestness to the deliberately-adopted principles of his earliest political life, and the repetition of his principles and his hopes, in these his last recorded words, will be read with double interest, from the occasion on which they were written, and because they may be justly regarded as the *divini hominis cycnea vox et oratio.*

'*Monticello, June* 24, 1826.

'The kind invitation I received from you, on the part of the citizens of the City of Washington, to be present with them at their celebration of the fiftieth anniversary of American Independence, as one of the surviving signers of an instrument pregnant with our own, and

the fate of the world, is most flattering to myself, and heightened by the honourable accompaniment proposed for the comfort of such a journey. It adds sensibly to the suffering of sickness to be deprived by it of a personal participation in the rejoicings of that day, but acquiescence is a duty under circumstances not placed among those we are permitted to control. I should, indeed, with peculiar delight, have met and exchanged these congratulations personally with the small band, the remnant of that host of worthies who joined with us on that day in the bold and doubtful election we were to make for our country, between submission or the sword, and to have enjoyed with them the consolatory fact, that our fellow-citizens, after half a century of experience and prosperity, continue to approve the choice we made. May it be to the world, what I believe it will be (to some parts sooner, to others later, but finally to all), the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. That form which we have substituted restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened, or opening to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favoured few booted and spurred, ready to ride them legitimately by the grace of God. These are grounds of hope for others. For ourselves let the annual return of this day for ever refresh our recollections of these rights, and an undiminished devotion to them.

'I will ask permission here to express the pleasure with which I should have met my ancient neighbours of the City of Washington and its vicinities, with whom I passed so many years of a pleasing social intercourse—an intercourse which so much relieved the anxieties of the public cares, and left impressions so deeply engraved in my affections as never to be forgotten. With my regret that ill health forbids me the gratification of an acceptance, be pleased to receive for yourself, and those for whom you write, the assurance of my highest respect and friendly attachments.

'THOMAS JEFFERSON.'

Vol. iv. p. 451.

We know nothing more beautiful in the records of the retirement of illustrious men, than the manner in which these veteran statesmen renewed and continued their correspondence. Their opposition had been one of real and most important principle. It was ardent in proportion to its sincerity. It is obvious, however, that in respect to their private intercourse, Adams had fallen off from Jefferson, not Jefferson from Adams. But in 1811 (two years after Jefferson's retirement from the Presidency) Adams, in conversation with a mutual friend, adverted to the unprincipled licentiousness of the press against Jefferson, and

added, "I always loved Jefferson, and still love him." This was communicated to Jefferson, who had always lamented the interruption of their private friendship, and in another month we find their correspondence renewed.

The opinions of Jefferson on all the most important questions in morals, politics, and religion :—On the true principles of good Government :[1]—On the characters of European Governments in practice, both from distant views of their great proceedings, and from close observations, during his residence in Europe, of their minor details, of the subdivisions of their machinery, of their influence on the well-being of the unprivileged producers, who compose the bulk of the people, and of their consecration to the exclusive interests of the privileged non-producers, who compose the ruling and sub-ruling few :—On their kings,[2] their aristocracy,[3] and their rabble, as contrasted with anything that

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1. Federalists and Republicans.—"Both of our political parties, at least the honest part of them, agree conscientiously in the same object—the public good; but they differ essentially in what they deem the means of promoting that good. One side believes it best done by one composition of the governing powers; the other by a different one. One fears most the ignorance of the people; the other the selfishness of rulers independent of them. Which is right, time and experience will prove. We think that one side of this experiment has been long enough tried, and proved not to promote the good of the many; and that the other has not been fairly and sufficiently tried."

"Our opponents think the reverse. With whichever opinion the body of the nation concurs, that must prevail. My anxieties on this subject will never carry me beyond the use of fair and honourable means, of truth and reason; nor have they ever lessened my esteem for moral worth, nor alienated my affections for a single friend, who did not first withdraw himself. Whenever this has happened, I confess I have not been insensible to it: yet have ever kept myself open to a return of their justice. I conclude with sincere prayers for your health and happiness, that yourself, and Mr. Adams may long enjoy the tranquillity you desire and merit, and see, in the prosperity of your family, what is the consummation of the last and warmest of human wishes." 1808. Vol. iv. p. 28.

2. Kings.—"So much for the blessings of having kings, and magistrates who would be kings. From these events our young republics may learn useful lessons—never to call on foreign powers to settle their differences; to guard against hereditary magistrates; to prevent their citizens from becoming so established in wealth and power as to be thought worthy of alliance by marriage with the nieces, sisters, &c. of kings."—Paris, 1789. Vol. ii. p. 224.

3. Aristocracy.—"Though the day may be at some distance, beyond the reach of our lives perhaps, yet it will certainly come, when a single fibre left of this institution (the order of the Cincinnati) will produce an hereditary aristocracy, which will change the form of our government from the best to the worst in the world. To know the mass of evil which

can properly be called a people:[4]—On the practical excellencies of the government of the United States; on the actual defects in it, and on the means of amending them:[5]—On the foreign policy of the United States, which he frequently embodies in the comprehensive words, "*Free commerce with all nations, alliance with none;*" to which he added, in substance, "Quarrels with none but where our vital interests force them upon us," as in the question of English impressment of American seamen, which America must always resist, even at the price of eternal war:[6]—On the formation of an efficient protecting navy:—On

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flows from this fatal source, a person must be in France; he must see the finest soil, the finest climate, the most compact State, the most benevolent character of people, and every earthly advantage combined, insufficient to prevent this scourge from rendering existence a curse to twenty-four out of twenty-five parts of the inhabitants of this country."—*Jefferson to Washington.* 1786. Vol. ii. p. 62.

4. Rabble of European Cities.—"But even in Europe a change has sensibly taken place in the mind of man. Science had liberated the ideas of those who read and reflect, and the American example had kindled feelings of right in the people. An insurrection has consequently begun, of science, talents, and courage, against rank and birth which have fallen into contempt. It has failed in its first effort, because the mobs of the cities, the instruments used for its accomplishment, debased by ignorance, poverty, and vice, could not be restrained to rational action. But the world will recover from the panic of this first catastrophe. Science is progressive, and talents and enterprise on the alert. Resort may be had to the people of the country, a more governable power from their principles and subordination; and rank and birth and tinsel-aristocracy will finally shrink into insignificance, even there. This, however, we have no right to meddle with. It suffices for us, if the moral and physical condition of our own citizens qualifies them to select the able and good for the direction of their government, with a recurrence of elections at such short periods as will enable them to displace an unfaithful servant before the mischief he meditates be irremediable." 1813. Vol. iv. p. 236.

5. Improvements desired.—"The sum of these amendments is—1. General suffrage. 2. Equal representation in the legislature. 3. An executive chosen by the people. 4. Judges elective or moveable. 5. Justices, jurors, and sheriffs elective. 6. Ward divisions. And 7. Periodical amendments of the constitution."—1816. Vol. iv. p. 297.

6. English Impressment.—"Entering our ships, I say, under a pretext of searching for, and taking out their seamen, they took ours, native as well as naturalized, knowing them to be ours, merely because they wanted them, insomuch that no American could safely cross the ocean, or venture to pass by sea from one to another of our own ports. It is not long since they impressed at sea two nephews of general Washington, returning from Europe, and then put them, as common seamen, under the ordinary discipline of their ships-of-war. There are certainly other wrongs to be settled between England and us, but of a minor character, and such as a proper spirit of conciliation on both sides would not permit to continue them at war. The sword, however, can never again be

their true interests in respect of acquisition of territory, especially in the two great practical cases, now settled, of Louisiana and the Floridas, and in those which remain to be settled, of Mexico and Cuba: of their domestic policy in respect of taxes, paper currency,[7] domestic manufactures,[8]

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sheathed until the personal safety of an American on the ocean, among the most important and most vital of the rights we possess, is completely provided for." 1813. Vol. iv, p. 193.

(2.) English Impressment.—P. S. *February* 26.—"My letter had not yet been sealed, when I received news of our peace. I am glad of it, and especially that we closed the war with the éclat of the action at New Orleans. But I consider it as an armistice only, because no security is provided against the impressment of our seamen. While this is unsettled, we are in hostility of mind with England, although actual deeds of arms may be suspended by a truce. If she thinks the exercise of this outrage is worth eternal war, eternal war it must be, or extermination of the one or the other party. The first act of impressment she commits on an American will be answered by reprisal, or by a declaration of war here; and the interval must be merely a state of preparation for it. In this we have much to do, in further fortifying our sea-port-towns, providing military stores, classing and disciplining our militia, arranging our financial system, and above all, promoting our domestic manufactures, which have taken such roots as never again can be shaken."—1815. Vol. iv. p. 258-9.

7. Paper-currency and Banks.—"We seem equally incorrigible in our financial course. Although a century of British experience has proved to what a wonderful extent the funding on specific taxes enables a nation to anticipate in war the resources of peace, and although the other nations of Europe have tried and trodden every path of force or folly in fruitless quest of the same object, yet we still expect to find in juggling tricks and banking dreams, that money can be made out of nothing, and in sufficient quantity to meet the expenses of a heavy war by sea and land. It is said, indeed, that money cannot be borrowed from our merchants, as from those of England: but it can be borrowed from our people. They will give you all the necessaries of war they produce, if, instead of the bankrupt trash they are now obliged to receive for want of any other, you will give them a paper promise, founded on a specific pledge, and of a size for common circulation. But you say the merchants will not take this paper. What the people take the merchants must take, or sell nothing. All these doubts and fears prove only the extent of all the dominion which the banking institutions have obtained over the minds of our citizens, and especially of those inhabiting cities or other banking places; and this dominion must be broken, or it will break us. But here, as in the other case, we must make up our mind to suffer yet longer, before we can get right. The misfortune is, that in the meantime we shall plunge ourselves into inextinguishable debt, and entail on our posterity an inheritance of eternal taxes, which will bring our government and people into the condition of those of England, a nation of pikes and gudgeons, the latter bred merely as food for the former."—Vol. iv. p. 251.

8. Domestic Manufactures.—"Of company establishments we have none. We use little machinery. The spinning-jenny, and loom, with the flying shuttle, can be managed in a family; but nothing more compli-

defensive military force, education,[9] freedom of the press,[10] religious liberty,[11] laws of entail and primogeniture,[12] (which were, chiefly by his instrumentality, abolished), the state and probable consequences of negro slavery,[13] and the Missouri question,

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cated. The economy and thriftiness resulting from our household manufactures are such that they will never again be laid aside; and nothing more salutary for us has ever happened than the British obstructions to our demands for their manufactures. Restore free intercourse when they will, their commerce with us will have totally changed its form, and the articles we shall in future want from them will not exceed their own consumption of our produce."—1812. Vol. iv. p. 172.

"I have now thirty-five spindles going, a hand-carding machine, and looms with the flying shuttle, for the supply of my own farms, which will never be relinquished in my time. The continuance of the war will fix the habit generally, and out of the evils of Impressment, and of the Orders of Council a great blessing for us will grow. I have not formerly been an advocate for great manufactories. I doubted whether our labour, employed in agriculture, and aided by the spontaneous energies of the earth, would not procure us more than we could make ourselves of other necessaries. But other considerations entering into the question have settled my doubts."—1813. Vol. iv. p. 186-7.

9. Freedom of Opinion.—"If all the sovereigns of Europe were to set themselves to work to emancipate the minds of their subjects from their present ignorance and prejudices, and that as zealously as they now endeavour the contrary, a thousand years would not place them on that high ground on which our common people are now setting out. Ours could not have been so fairly placed under the control of the common sense of the people, had they not been separated from their parent stock and kept from contamination, either from them or the other people of the old world, by the intervention of so wide an ocean. To know the worth of this, one must see the want of it here: I think by far the most important bill in our own code is that for the diffusion of knowledge among the people. No other sure foundation can be devised for the preservation of freedom and happiness. If any body thinks that kings and nobles, or priests, are good conservators of the public happiness, send him here. It is the best school in the universe to cure him of that folly. He will see here, with his own eyes, that these descriptions of men are an abandoned confederacy against the happiness of the mass of the people. The omnipotence of their effect cannot be better proved than in this country, particularly where, notwithstanding the finest soil upon earth, the finest climate under heaven, and a people of the most benevolent, the most gay and amiable character of which the human form is susceptible; where such a people, I say, surrounded by so many blessings from nature, are loaded with misery, by kings, nobles and priests, and by them alone. Preach, my dear Sir, a Crusade against ignorance; establish and improve the law for educating the common people: let our countrymen know that the people alone can protect us against these evils, and that the tax which will be paid for this purpose is not more than the thousandth part of what will be paid to kings, priests, and nobles, who will rise up among us if we leave the people in ignorance."—1786, Paris. Vol. ii. p. 45.

10. Freedom of Opinion—Political.—"The tumults in America I expected would have produced in Europe an unfavourable opinion of our

which arose out of this fearful subject:—On the prospects of the United States;[14] on the probabilities of their future power among the nations of the world; of the permanence of the

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political state; but it has not. On the contrary, the small effect of these tumults seems to have given more confidence in the firmness of our governments. The interposition of the people themselves on the side of government has had a great effect on the opinion here [Paris, 1787.] I am persuaded myself, that the good sense of the people will always be found to be the best army. They may be led astray for a moment, but will soon correct themselves. The people are the only censors of their governors; and even their errors will tend to keep these to the true principles of their institution. To punish these errors too severely would be to suppress the only safeguard of the public liberty. The way to prevent these irregular interpositions of the people, is to give them full information of their affairs through the channel of the public papers, and to contrive that those papers should penetrate the whole mass of the people. The basis of our government being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter. But I should mean that every man should receive those papers, and be capable of reading them. I am convinced that those societies (as the Indians) which live without government, enjoy in their general mass an infinitely greater degree of happiness than those who live under the European governments. Among the former, public opinion is in the place of law, and restrains morals as powerfully as laws ever did anywhere. Among the latter, under pretence of governing, they have divided their nations into classes—wolves and sheep. I do not exaggerate. This is a true picture of Europe. Cherish, therefore, the spirit of our people, and keep alive their attention. Do not be too severe upon their errors, but reclaim them by enlightening them. If once they become inattentive to public affairs, you, and I, and congress, and assemblies, judges, and governors, shall all become wolves. It seems to be the law of our general nature, in spite of individual exceptions; and experience declares that man is the only animal which devours his own kind; for I can apply no milder term to the governments of Europe, and to the general prey of the rich on the poor.—1787. Vol. ii. p. 84.

11 "Religion.—The result of your fifty or sixty years of religious reading in the four words, 'be just and good,' is that in which all our inquiries must end; as the riddles of all the priesthoods end in four more—'*ubi panis, ibi deus.*' What all agree in, is probably right. What no two agree in, most probably wrong. One of our fan-colouring biographers, who paints small men as very great, inquired of me lately, with real affection too, whether he might consider as authentic the change in my religion, much spoken of in some circles. Now this supposed that they knew what had been my religion before, taking for it the word of their priests, whom I certainly never made the confidents of my creed. My answer was, 'say nothing of my religion. It is known to God and myself alone. Its evidence before the world is to be sought in my life; if that has been honest and dutiful to society, the religion which has regulated it cannot be a bad one.'"—1817. Vol. iv. p. 308.

12. Improvements realised and desired.—"At the first session of our legislature after the declaration of independence, we passed a law,

Union;[15] of the continued ascendancy of republican principles; of the comparative progress among them of fanaticism on the one hand, and of free opinions in religion on the other:[16]—On

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abolishing entails. And this was followed by one abolishing the privilege of primogeniture, and dividing the lands of intestates equally among all their children or other representatives. These laws, drawn by myself, laid the axe to the root of pseudo-aristocracy. And had another which I prepared been adopted by the legislature, our work would have been complete. It was a bill for the more general diffusion of learning. This proposed to divide every county into wards of five or six miles square, like your townships; to establish in each ward a free school for reading, writing, and common arithmetic; to provide for the annual selection of the best subjects from these schools, who might receive, at the public expense, a higher degree of education at a district school, and from these district schools to select a certain number of the most promising subjects, to be completed at a University, where all the useful sciences should be taught. Worth and genius would thus have been sought out from every condition of life, and completely prepared, by education, for defeating the competition of wealth and birth for public trusts. My proposition had, for a further object, to impart to these wards those portions of self-government for which they are best qualified, by confiding to them the care of their poor, their roads, public elections, police elections, the nomination of jurors, administration of justice in small cases, elementary exercises of militia; in short, to have made them little republics, with a warden at the head of each, for all those concerns which, being under their eye, they would better manage than the larger republics of the county or state. A general call of ward-meetings by their wardens on the same day through the State, would at any time produce the genuine sense of the people on any required point, and would enable the State to act in mass, as your people have so often done, and with so much effect, by their own meetings. The law for religious freedom, which made a part of this system, having put down the aristocracy of the clergy, and restored to the citizens the freedom of the mind, and those of entails and descents maintaining an equality of condition among them, their own education would have raised the mass of the people to the high ground of moral respectability necessary to their own safety, and to orderly government; and would have completed the great object of qualifying them to select the veritable *aristoi* for the trusts of government, to the exclusion of the federalists: and the same Theognis who has furnished the epigraphs of your two letters assures us, that Οὐδεμιαν πω Κύρν', ἀγαθοὶ πόλιν ὤλεσαν ἄνδρες."—1813. Vol. iv. p. 234.

13. Slaves.—"There is, I think, a way in which the deportation of Slaves may be effected: that is, by emancipating the after-born, leaving them, on due compensation, with their mothers until their services are worth their maintenance, and then putting them to industrious occupations, until a proper age for deportation. This was the result of my reflections on the subject five and forty years ago, and I have never yet been able to conceive any other practicable plan.

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A million and a half are within our control; but six millions (which a majority of those now living will see them attain), and one million of these fighting men, will say, 'we will not go.'"—1824. Vol. iv. p. 398-9.

14. Prospects of the United States.—"For my part, I wish that all

the influence and interests of priests:—On the administration of justice:—On agriculture and the introduction of new plants:—On literature and science:—On the wisdom of ancestry:[17] his notices of the great events in which he was either a mover

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nations may recover and retain their independence; that those which are overgrown may not advance beyond safe measures of power, that a salutary balance may be ever maintained among nations, and that our peace, commerce, and friendship, may be sought and cultivated by all. It is our business to manufacture for ourselves whatever we can, and to keep all markets open for what we can spare or want; and the less we have to do with the amities or enmities of Europe, the better. Not in our day, but at no distant one, we may shake a rod over the heads of all, which may make the stoutest of them tremble. But I hope our wisdom will grow with our power, and teach us that the less we use our power the greater it will be."—1815. Vol. iv. p. 274-2.

15. Permanence of the Union.—"The cement of this Union is in the heart-blood of every American. I do not believe there is on earth a government established on so immovable a basis."—1815. Vol. iv. p. 257.

16. Religion.—"The atmosphere of our country is unquestionably charged with a threatening cloud of fanaticism, lighter in some parts, denser in others, but too heavy in all.

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"The diffusion of instruction, to which there is now so growing an attention, will be the remote remedy to this fever of fanaticism, while the more proximate one will be the progress of Unitarianism. That this will, ere long, be the religion of the majority, from North to South, I have no doubt."—1822. Vol. iv. 366-7.

17. Wisdom of Ancestry.—"Laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy, as civilized society to remain ever under the regimen of their barbarous ancestors. It is this preposterous idea which has lately deluged Europe in blood. Their monarchs, instead of wisely yielding to the gradual changes of circumstances—of favouring progressive accommodation to progressive improvement, have clung to old abuses, entrenched themselves behind steady habits, and obliged their subjects to seek, through blood and violence, rash and ruinous innovations, which, had they been referred to the peaceful deliberations and collected wisdom of the nation, would have been put into acceptable and salutary forms. Let us follow no such examples, nor weakly believe that one generation is not as capable as another of taking care of itself, and of ordering its own affairs."—Vol. iv. p. 298.

Governments of Europe and America. "Buonaparte and the Allies have now changed sides. They are parcelling out among themselves. Poland, Belgium, Saxony, Italy, dictating a ruler and government to France, and looking askance too at *our republic, the splendid libel on their governments,* and he is fighting for the principles of national independence, of which his whole life hitherto has been a continued violation.'—1815. Vol. iv. p. 276.

Banks.—"I sincerely believe, with you, that banking establishments

or a close observer; those of the American Revolution; those of the early part of the French Revolution; those of his own presidency; of Burr's conspiracy:—his views of the more recent events of importance, on which he looked from a distance in his later years; the quarrels of Europe; and the last British war with America, not forgetting the burning of Washington:—his sketches or judgments of the characters of eminent persons; of Louis XVI. and his queen; of George the Third; of George the Fourth, when Prince of Wales; and of the Duke of York; of Washington, of Franklin, of Hamilton, of Adams, of Madison, of Monroe; of Napoleon, in his glory and in his exile; of Lord Castlereagh and his colleagues; of many others who have been in the last half century conspicuous for good or for ill:—present such a body of good sense, of careful and comprehensive investigation, of sound and dispassionate decision, of kindly feeling, of enlarged philanthropy, of spotless integrity; such a rare combination of an enthusiasm almost chivalrous for the liberty and happiness of mankind, with a calm philosophical judgment, restraining its pursuits within the limits of the attainable; such a picture of political sincerity, presenting always the same character in appearance as in reality, in public as in private life, as will not easily find a parallel (at least on this side the Atlantic) in the records of any individual who has had so large a share in the government of nations.

Our limits do not admit of our doing justice, in the form of extracts, to the invaluable contents of these volumes, of which we have given an imperfect enumeration. We have under some of the heads of that enumeration subjoined some brief specimens: but we most earnestly commend the volumes themselves to all our readers who have not yet perused them, as containing numerous and rich materials of authentic history; as presenting, on almost all truly important questions, views sometimes new, most frequently just, and always worthy of patient consideration; as abounding with incitements to moral courage and political honesty; as confirming rational hopes of the progress of knowledge and liberty; as elevating our opinion of human nature; and in all these points counteracting the soul-withering influence of our own frivolous and sycophantic literature.

America is deeply indebted to Jefferson. He had the sagacity to see her true interests in the beginning of his career, the honesty to sacrifice all other considerations to them, and the moral courage to pursue them inflexibly to the end. And the

are more dangerous than standing armies; and that the principle of spending money to be paid by posterity, under the name of funding, is but swindling futurity on a large scale."—1816. Vol. iv. p. 288.

interests of America being peace and liberty, were and still are the interests of mankind. He was a great instrument in the foundation of her liberties in 1776; the main instrument in their restoration in 1800. He lived to see the community of which he was a member, proceed from infancy to maturity: he lived to see it rise from a struggle in which it with difficulty maintained its existence, to grow strongly and rapidly into one of the most noble and important communities of the world; and he left it in a fair train for becoming the very greatest of the nations. For how much of this progress it was indebted to him, will be most clearly manifest to those who dwell most on the history of his times, especially on the portion of them which intervened between that scarecrow of well-meaning simplicity, the French Reign of Terror, and his first election to the Presidency. The first steps of his administration dissipated for ever the phantoms of fear and delusion, with which artifice and cowardice had surrounded the image of liberty; and established principles of government, which remain to this day, not only unshaken, but apparently taking deeper and deeper hold of the affections of the American people. He was undoubtedly the greatest public benefactor that has yet appeared in the nineteenth century; whatever may be his station in the eighteenth, in which it is difficult to say that he was second, even to Washington.

ART. IV.—*A Dissertation on the Geography of Herodotus, with a map. Researches into the history of the Scythians, Getæ, and Sarmatians.* Translated from the German of B. G. Niebuhr. Oxford. Talboys. 1830.

THE two Dissertations of Niebuhr, which are here presented in an English translation, form part of a volume of his miscellaneous, or smaller essays, published in 1828. It is our intention to examine only the first of these essays.

The design of the "Dissertation on the Geography of Herodotus" is, to present in a clearer light the general Geographical notions of this ancient writer: a comparison with the real Geography forms no part of Niebuhr's plan. There are two things to be considered in investigating the Geography of Herodotus; the one, "is the point from which, and the medium through which, the author looked;" the second is, to ascertain the facts of true Geography, which form the basis of that which he imagined. It is a matter of considerable im-

portance to ascertain exactly what were the ideas of Herodotus on the figure of the earth, and the relative position of places on its surface; we should, if possible, read his book with the same kind of knowledge with which he wrote it: we must, if we wish to understand him, labour to form that kind of picture of the earth's surface, which he was accustomed to see delineated. Without approximating in some degree at least to the point from whence he surveyed the world, we shall often misunderstand his text, and fail in applying what he tell us to the actual Geography of the earth.

Before entering on a short explanation of his Geographical system, it should be remarked that the ideas of Herodotus as to the figure of the earth, and his general notions on physics, are not to be considered as those of the most enlightened of his countrymen; it would be easy to show that he adopted rather the popular opinions on many topics, than those of profound inquirers. His ignorance of many geographical facts* must not be inferred, because they are not recorded in his book: his main subject was the wars of the Greeks and Persians; and it is only according to their nearer or remoter connection with the great act of the drama that he notices other subordinate facts. It is true that his digressions and episodes are often long, but they are always connected with the developement and progress of the piece.

The great internal sea, the Mediterranean, for which Herodotus has no other name, but "our sea," or "the north sea," or "this sea," washed the shores of the largest part of *his* world. The pleasant coast of Ionia and European Greece lay somewhere about the middle of the world, as we may infer from numerous passages; he assigns, however, no absolute centre, and as little does he give any precise idea of what he considered as the boundary of this earth. It was doubtless in his opinion a plane, but it was unknown beyond certain limits, which he could name: as for Homer's ocean that ran round it, he knew of no river ocean, and seems to be careless about forming theories on matters, which to him were incomprehensible.

He could not help perceiving that the sun was the chief agent in causing diversity of climate; but as Niebuhr remarks, "he derives the nature of the climate from the winds, which he considers as an inherent quality of the air;" and [Book ii. 24.]

* He might have told us much more about Southern Italy, (his own Italia) which he visited, as we know from his history. He might have given that information on more remote towns of Northern Italy, which Hecatæus of Miletus, had embodied in his Europe. But it was foreign from the plan of his work, and therefore he omits it.

he talks of the sun during the winter season being driven by them towards the interior of Libya. As Herodotus was only acquainted with a part of the northern hemisphere, and as in the progress towards the south, the heat, as a general law, increases, we must not be surprised at his considering heat as the special quality of Southern Countries, and warm winds as the only kind known there. Northwards, and beyond the Ister, he places the region of cold; yet the cold and snow beyond Scythia, though perpetual, are less severe in summer, than in winter. There is nothing in Herodotus, [Book iv. 32.] as Niebuhr seems to say, which indicates that he had read in Hecatæus of the perpetual spring, and double harvests of the Hyperboreans, who live beyond the Scythians.

The translator, in a note, expresses a doubt if the Hecatæus, to whom Niebuhr refers, and whose works Herodotus had read, be the Hecatæus, who wrote a treatise on the Hyperboreans: the question is not important, for Herodotus says nothing about the climate of this people, but believes that all the Northern Regions are in a cold climate.

Herodotus [Book iv. 41.] considers Europe to extend in a direction parallel to Libya and Asia, and to be equal in length to both of them; in breadth, Europe exceeds either of them. He fixes no limits to Europe on the north or east, remarking that it is not known whether a sea be the boundary in these two directions. On the west, and beyond the Pillars of Hercules, he knew there was the ocean, but he confesses [Book iii. 115.] his ignorance of every thing else connected with this remote region. He mentions the tin islands (*κασσιτερίδες*), but he knows nothing of them; tin as well as amber come from the remotest western parts of Europe, but he can not say if there is a sea in those parts. His Europe, however, extended beyond the Pillars of Hercules, and its most westerly inhabitants were the Cynesii: next to them are the Celtæ, but still beyond the Pillars of Hercules; and in the country of the Celtæ the Ister rises. To attempt to fix the position of the Celtæ in any more definite manner, would be inconsistent with the vagueness of the historian's ideas; nor is it possible to say precisely within what limits we must place the Celtæ, who, at that time, were the Celtæ of whom he had heard. Niebuhr, in the small map attached to his essay, places the Iberi near the Pillars of Hercules: Herodotus leaves this to conjecture.

The boundary between Asia and Europe, which Herodotus admits is the Phasis, though other people, he says, make the Tanais the common boundary. Niebuhr remarks that in a

different passage, [Book iv. 40.] he seems to consider the Caspian and the Araxes as the northern boundary of Asia, to the east of the meridian of Persia; this may be admitted without any inconsistency, as the limit must necessarily be somewhat vague and irregular, and the Araxes, with the Caspian would be a continuation of the boundary, commencing with the Phasis. Yet, though the Araxes rises west of the Caspian, and is one of the northern boundaries of Asia, Herodotus [Book i. 202.] attempts to explain how one of its forty mouths flows into the Caspian, the other thirty-nine ending in marshes. Niebuhr in his map supposes (for the sake of explanation) the one branch to join the Caspian, and the other thirty-nine to flow onwards to the east.

So far, there is no difficulty in comprehending what Herodotus conceived, but the remainder of his general description is not so intelligible. We will begin our examination with Asia, because this order of considering the subject will simplify it.

Niebuhr explains [p. 23.] the word *Acte* (ακτη) as signifying a country that projects into the sea, with two or more sides washed by the waves, and a third connecting it with the mainland. It differs from a Chersonesus; the latter being attached to the mainland by a narrow neck, while the *acte* has no property in common with a chersonesus, but that of projecting into the sea.

Between the northern sea, (Herodotus means the Euxine in this passage) into which the Phasis falls, and the southern or Erythrean, dwelt four nations in the following order, from south to north; the Persæ extending to the Erythrean sea, the Medi, Saspeires, and the Colchi, the latter extending to the bank of the Euxine. The mouth of the Phasis then, and the Persian gulf (of which Herodotus knew nothing) lie in the same meridian, according to this system.

From this region, occupied by the nations just described, two *actes* project into the sea, and in opposite directions, (κατ' ἀντίης) according to Niebuhr's reading. The MSS., however, have ἀπ' αὐτῆς which, if it be genuine, perhaps proves the necessity of adding 'Ασίην to the beginning of the previous chapter, as Schweighæuser has done.

One *acte* is what we now call Asia Minor; its northern side is defined to extend from the Phasis to Sigeum, and its southern from the Myriandric bay to point Triopium.

The other *acte* extends into the Erythrean sea, and commences with the Persæ; then comes Assyria (in which we must remember that Babylonia is included), then Arabia, and

the *acte* terminates on this side, at the extremity of the Arabian gulf, now the Red Sea.*

The other side of the *acte* is on the Mediterranean coast, and extends from Phœnicia, that is, from the neighbourhood of the Myriandric bay to Egypt. The great breadth of this *acte* lies in the direction between Persia and Phœnicia, from east to west. Niebuhr remarks that the words "from Phœnicia this *acte* extends through this sea (the Mediterranean), along the shore of Palestine, and to Egypt, where it ends," require explanation.

It appears that Herodotus, after describing one side of this *acte* as formed by the Erythrean sea, mentions another formed by the Mediterranean; just as he has described the two chief lines of coast that bound the first *acte* (Asia Minor), one line running along the Black Sea, the other along the Mediterranean. The figure of the second *acte* will depend on the length and direction of the Red Sea, according to the notion of Herodotus. The Persian Gulf was unknown to him, and in delineating our coast according to his map, it must disappear.

It appears that Herodotus [Book ii. 11.] considered the valley of the Nile as far as Elephantine, and the Red Sea to be nearly parallel; the length of the Red Sea he makes forty days passage for a row-boat. Now Niebuhr remarks that he no where tells us what is the value of this measure of a day's rowing, and that he applies the same measure to the Caspian Sea. Major Rennel considers that Herodotus has assigned the length of the Caspian pretty accurately, [Book i. 202.] by stating it is fifteen days navigation for a swift-oared vessel. Herodotus [Book iv. 86.] says that a vessel can accomplish 700 stadia in a long day, and 600 by night; the length of the Caspian is about 630 miles, which would allow a rate of forty-two miles per day, and this is a fair allowance, though not reconcileable with the dimensions of Herodotus given in stadia. Forty days sail on the Red Sea, which is about 1300 geographical miles long for a ship's course, will allow about thirty-two per day, which is a reasonable rate. But Niebuhr appears to ground his argument on the words *rowing-boat*, and he estimates the rate of a rowing-boat

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* Herodotus says λήγει δ' αὕτη (οὐ λήγουσα εἰ μὴ νόμῳ) ἐς τὸν κόλπον τὸν Ἀράβιον. The meaning of this somewhat obscure passage is made clear by Book iv. 41., and the interpretation which we give to it in a subsequent part of this article. The second *acte* did not really terminate at the northern extremity of the Red Sea, for an *acte* can only be terminated by the sea: common usage (νομος) made it terrminate at Suez, on account of the Isthmus, but its real termination was the Atlantic. Schweighæuser's interpretation is the same.

at 200 stadia per day; accordingly he terminates the Red Sea in the latitude of Elephantine [see p. 21.]. This is a conclusion in which we cannot concur, and one which he acknowledges to involve difficulties.

The country called Arabia is the most southern part of the world known to Herodotus, and its position in Asia corresponds to the opposite southern region of Libya, which he calls Æthiopia. There is a passage in Herodotus, [Book ii. 8.]which is somewhat obscure; he says that the Mountains of Arabia (he calls the country immediately east of the Nile, Arabia) extend from north to south as far as the Erythrean Sea, and that their greatest length, from west to east is two months journey, or 12,000 stadia; the eastern extremity is the frankincense country. Niebuhr appears to be right in his explanation: he says that Herodotus considers the Red Sea, according to his erroneous notions of its breadth, [see Book ii. 8.] as a mere narrow gulf, and no great boundary, or separating limit; this mountain range of his, then, may be supposed to be continued on the east side of the Red Sea. From his knowledge of the mountains of Arabia Petræa, Herodotus might infer that other parts of Arabia were equally mountainous.

A few more remarks are necessary to complete the outline of Asia. Herodotus says, that the distance across Asia Minor, from Cilicia to Sinope, is five days' journey for a stout pedestrian [Book ii. 34], or one thousand stadia—a monstrous error, as the distance is about three hundred and twenty geographical miles, measured on a meridian. Scylax, as Niebuhr remarks, has the same error; and Q. Curtius [Book iii. 2], at a later age, informs us, that Gordium, on the Sangarius, is equally distant from the Mediterranean and the Euxine, and that the two seas press so far inland as to leave only a narrow neck. Niebuhr suggests a kind of explanation of the blunder of Herodotus; but it is unnecessary to quote it.

From the mountains of the Matieni flows the Araxes towards the East; one branch enters the Caspian, the rest perhaps flow onwards to the East (according to Herodotus) in the way represented in Niebuhr's map. The Gyndes flows from the opposite side of this mountain range, which corresponds to Kurdistan. Whatever river may be the origin of the Araxes of Herodotus, there is no doubt about his meaning. The parts of Asia that lie east of Persia are bounded on the south by the Erythrean Sea (the Indian Ocean), on the north by the Araxes and the Caspian: as far as India he knew the country to be inhabited; but east of this country he adds, "all is desolate, and nobody can say what kind of a region it is."—Book iii. 40.

There is no indication of any great Indian peninsula. The river Indus begins to be navigable at Caspatyrus, and flows to the east [Book iv. 44]; a proper consideration of this will show us, as Niebuhr remarks, that the Northern Indians of Herodotus are north of the higher stream of *his* Indus, and the Southern Indians south of it; the region near the lower waters of the great river is a sandy waste.

The Caspian Sea of Herodotus is a lake, and not, like the Caspian Sea of Strabo, connected with the Northern Ocean; it is impossible to say accurately how far his notions of the length and breadth were exact, nor does it appear certain, as Niebuhr remarks, that he makes its greatest length to lie from north to south.

Herodotus sees no propriety in dividing the world into three parts, and giving to these divisions female names; according to him the world is one.—Book iv. 45.

Niebuhr has not observed that the Libya of Herodotus is the completion of the second *acte:* the description of part of which, along its Mediterranean limits, he finds inexplicable [p. 24]. An *acte* should be bounded by water except on one side, but this is not the case with the second *acte,* unless we add Libya to it, which, as we shall presently see, Herodotus recognized as an island, all but the Isthmus of Suez. "Now Libya," he says [Book iv. 41], "is in the other (the second) *acte,* for Libya immediately follows Egypt; and close to Egypt the *acte* is very contracted, for from this sea (the Mediterranean) to the Erythrean (the Red Sea) the distance is only one thousand stadia;* but after this point the *acte,* called Libya, becomes very broad," by which he means its direction from north to south.

Now Libya completes the second *acte,* being surrounded by water, according to his notions, except at the Isthmus of Suez. Herodotus asserts [Book i. 202], that the Erythrean Sea, the Mediterranean, and the Atlantic beyond the Pillars of Heroules, are one; and [Book iv. 42] he describes the circumnavigation of Africa by the Phœnicians in the reign of Necos king of Egypt.

Niebuhr has no remarks on this voyage, the discussion of which hardly belongs to his plan. Major Rennel has examined it with great care and minuteness, and almost convinces us that a real voyage of circumnavigation was made.

The notions of Herodotus respecting the Nile and its course are connected with his system respecting the course of the Danube; and in this instance there is some difficulty in explain-

* This is a considerable error. See Rennel *Geogr. Herod.* p. 450.

west beyond Cape Soloeis, as it really does; Herodotus, however, imagines Soloeis to be the most western point [Book iv. 43]; and the coast south of it, whenever it takes a turn, must be supposed to incline towards the east. This explanation will tend to keep Libya within the moderate bounds which Herodotus assigns to it. It is doubtful if Herodotus was well acquainted with the great bend on the north coast of Libya, which forms the district of Carthage; Niebuhr assumes that he did know it, but we find no indication of this except where he mentions the *acte* of the Lotophagi.

The Macrobii Æthiopes dwell on the southern sea, on that projecting part of Libya which lies opposite to Arabia, and perhaps forms the most southern part of the Libyan *acte*.

Another important point in the general geographical system that remains to be discussed, is the figure of Scythia. Herodotus was a great traveller in this country, and was acquainted from personal observation with the relative positions of the rivers between the Ister and the Borysthenes. It should be observed that he knew the course of the Pruth, the Dniester, and the Tyras to tend generally to the south, and it is not surprising that he imagines the same direction for the Ister, which river, it is most probable from his narrative, that he never saw. Thrace, he remarks, lies in front of Scythia, and its coast forms a bay or hollow (κολπος); then comes Scythia, which presents two sides of a square to the Sea. Each side of this square measures 4,000 stadia. From the mouth of the Ister to the Tauric *acte*, is one side of his square, which is turned towards the south, or rather a point between south and south west: at the point of the Tauric Chersonese the Eastern coast commences, and is bounded by the Cimmerian Bosporus and the Mæotis; the Mæotis, according to Herodotus, is as large as the Euxine, and its length lies from south to north—at its northern extremity the Tanais (Don) flows into it.

The relative positions of the rivers between the Ister and the Borysthenes are given by Herodotus with accuracy; the geography of the Tanais and the regions north and east of this river is connected with the marvellous Scythian expedition of Darius, which in the narrative of Herodotus is filled with geographical impossibilities.

When the situation and figure of Scythia are understood, we comprehend the description of Thrace: this country, according to Herodotus, is of great extent; it runs from the Euxine along the Ister in its northern course, and extends also along the banks of that river from east to west. Thus Herodotus becomes intelligible when he says that the regions north of Thrace and

beyond the Danube are unknown, and uninhabitable from cold [Book v. 9. 10.] *His* Thrace lies west of *his* Scythia.

We have endeavoured to describe the general notions of Herodotus on the figure of the earth, and the relative position of its great divisions; and in general the ideas here developed are the same as Niebuhr's. The dissertation, though short and incomplete, contains materials for reflection and research; and even where it is not satisfactory, it is still instructive and ingenious. A careful perusal of it (and it must be a very careful perusal, for it is occasionally rather difficult to seize the exact meaning) cannot fail to point out the kind of spirit in which ancient books should be studied. At present they are dead letters, and like a church ritual are read and re-read till they cease to interest, or to be intelligible. It may be asked by some why we should take such pains to ascertain the erroneous conceptions of a Greek who wrote above two thousand years ago. The answer is, that the investigation pleases some people just as much as the guessing a riddle, or solving an intricate mathematical problem delights others; and that it is as practically useful as a great many speculations which employ the learned leisure of a great many people.

ART. V.—*Southennan*, by John Galt, Esq. author of "Lawrie Todd," "The Annals of the Parish," &c. &c. London. Colburn and Bentley. 1830.

WHETHER it be that Mr. Galt understands much better the secrets of the woods of Canada than the arcana of palaces, we do not know; but it is most certain that he has made the history of Lawrie Todd the nail-maker, ten thousand times more interesting than that of Mary Queen of Scots. It is true, Lawrie was a more useful and respectable person than the said queen, and much better deserving the sympathy of mankind; but we do not believe this to be the only reason why *his* biography, as we took pains to shew, is a very charming book, and Southennan, which is a portion of hers, a very dull one. The cause lies probably in the difference between a labour of love and a labour of lucre. Lawrie Todd was the solace and occupation of a remote and secluded residence, while Southennan, it may be guessed, has been written amidst the bustle of London, and in such uneasy retirement as man can snatch from the numerous and imperious engagements of a great capital. But the failures, even, of a man of genius are worth recording: out of respect, therefore, to the two works which the

author has placed in his title-page we shall render a short account of Southennan.

Mary, Queen of Scots, about whose character so much idle controversy has been carried on, had successively two secretaries, the one a young Frenchman, Chatelard, who was executed for a supposed design upon her person, and David Rizzio, the Italian musician, who was assassinated in her presence by some Scotch noblemen, under the sanction of Mary's husband, Darnley. These two persons are the heroes of Southennan; and their fatal connexion with the queen its subject. The historical materials relative to the primitive history of the parties are scanty, the greater scope, therefore, for the imagination of the inventor; the few circumstances that are known are of a romantic character, and consequently, the mind of the reader is favourably and credulously disposed towards the inventor of incidents of a similar nature. These propitious qualities have, however, attracted such a crowd of embroiderers and embellishers, that not only the plain facts are already buried under ornaments, but the very subject has become nauseous and revolting. What novelty might be put into it, Mr. Galt has probably succeeded in infusing; nevertheless, the oft-told tale is wearisome enough. Boys at school, when they introduce Alexander and Clitus into their themes, are fined for the barrenness of their information; and, truly, novelists who can write tales about Mary of Scotland, ought to be driven even from the circulating library in disgrace. Robertson began the romance, let Galt end it. Kings and Queens are a class who have done much mischief in life, but it must be allowed that poets and novelists have taken ample revenge after their death. The "right divine to govern wrong" is scarcely a compensation for being made the puppets of every scribbler who chooses to move the royal wires. It is lucky, however, that few can do their deceased majesties an injustice, such is the corrupting influence of power upon character. Mr. Galt has made his puppet all purity and innocence, and sinned against, but not sinning, and has thus omitted making the only good use that could be made of such a subject: viz. that of shewing how much private misfortune arose out of misgovernment, and of what very slight importance were the crimes imputed to Mary, in relation to the only rational object in maintaining either of king or queen, viz. the happiness of the people. The graceful, the serious, and refined, are qualities we are not disposed to consider the most familiar habits of Mr. Galt's mind: in attempting, therefore, the delineation of his view of Mary's character, and that of her court, he has hit very wide of the mark. His notions of courtly elegance

are certainly not those of their time, if, indeed, they are of any period. His Mary is a goddess, and her ladies are angels. Chatelard and Rizzio are attendant spirits—evil ones it is true, such as might be supposed to minister in the court of Calypso. Into the other personages who figure in the story, the author has failed to breathe the breath of life, infernal or supernal: they are mere brute matter: all except the εἴδωλον of the old earl of Morton, which, because he was of "a gritty humour" truly Scotch, and well understood by Mr. Galt, is charmingly represented. Rude and unscrupulous in his purpose, wily in his schemes, coarse in his expressions, and yet playful and humorous, and, when he chooses, biting in his banter, the character of Morton is the only part which throws a kind of uncertain and lurid light over the work. At the council-table, in the closet, or in action, he is ever ready with a joke or a jeer, the more tranchant because the sarcasm is always based in shrewdness and truth.

On occasion of the discovery of Chatelard under the bed of Mary, the Council deliberate on the steps to be taken; the expression of Morton's opinion is a fair sample of the author's talent in playing off this sturdy old thane.

'"My lords," said the Earl of Morton, with his characteristic familiarity, when the examination was finished, "my lords, we shouldna' make twa bites of a cherry. That the hempie was found aneath the Queen's bed is proven; but that shews no *animus*. Now, unless we can make out what he was doing there, I canna' see wherein the treason lies; for surely, as some of your Lordships weel ken, its no sic a miraculous thing to catch a lad hidden in a young woman's chamber. My word, the fallow has a gude taste. But to speak in a solemn manner, as reverence for the Queen's Majesty requires we should do, I think he might have been there by an accident. Wha can gainsay that? Or he might hae been looking for a curiosity, and hearing the Queen and her giggling leddies coming in, might hae crept in aneath the bed out o' sight, to make his escape at a mair convenient season. 'Deed, my lords! though no man can respec' the observance of a strict morality more than I do, yet this is a question that has twa sides, and it behoves us to take care in doing justice that we dinna' offend the Queen. My mind, and I hae had in my day some preeing of human nature, and of womankind, is an opinion, that we maybe would best consult discretion if we remitted the whole tot of the concern to be dealt with by her Majesty as in her wisdom and chastity she may see fit."

'At this declaration the Count Dufroy addressed the Chancellor, and informed him of the injunctions he had received from the Queen to deal in this affair with the most rigorous adherence to the law.

'"Weel," said Morton, "that changes my opinion. I doubt, Monsieur Chatelard, ye're in a bad way; for, as ye didna' please her Majesty, we, as ye hae heard, can do naething mair for your gude than to send

you to the hangman; and in the meanwhile ye'ell get every thing to make you comfortable."

'The Prior of St. Andrew's, who never much relished the gritty humour of the Earl, interposed, and said, "that although no question could be raised as to the guilt of the prisoner, it was yet necessary, for the vindication of the Queen's honour, that he should be publicly brought to trial."

'"My word, Jamie Stuart," said Morton, "I'll no say that thou 's like the tod's whelp 'a day aulder a day waur;' but as the moon wanes thy wit waxes, and though we may be fashed wi' a trial, yet I agree that, for fashion's cause, we canna well put the varlet out of pain without the benefit of an advocate as well as an executioner; and therefore I move that he be sent to trial according to law."

'The prisoner was then removed again to the strong-room, and the Council rising, passed into the gallery, where there was a great bustle in consequence of the Provost and the Town Council coming to address her Majesty on her escape from what they denominated "a rampant traitor."

'"My Lord Provost," said the Earl of Morton jocularly, "ye should hae been sure, before ye came wi' your comforting condolence, that it will be acceptable; for what if it were a disappointment rather than an escape?"

'Both the Prior of St. Andrew's and the Count were vexed to hear the Earl indulging his characteristic disregard of decorum, and begged him not to treat it so lightly.

'"For," said the Prior, "it is a serious business, whatever may have been the incident; and the life of a young man, hitherto unblamable, will probably be forfeited." '—Vol. ii. p. 259-62.

We will continue this strain, by quoting a conversation of Morton's with David Rizzio on the same subject, and on the choice of a proper man for the Queen's husband. We extremely admire his prescription for a royal consort. It is generally acted upon in our times, but not so broadly stated. Morton says, "he must be a cannie princie, in straightened circumstances, that will be thankful for his promotion, and biddable to the barons and 'states of the realm!"

'"Weel Dauvit!" said the Earl of Morton to Rizzio, after some general prelude touching the matter, "what think ye will be the upshot of this straemash? The Frenchman, puir chield! I doot, is past redemption; for I hae been discoursing with that bardy scoot, the Leddy Mall Livingstone; and if she would hae gi'en me the minimumest inkling that the Queen's Majesty had been either by hook or crook privy to the fallow's derning himself aneath the bed, I would hae stood up for him in the face and teeth o' the boldest of the Council-board; for it's awfu' to think o' putting a spirity lad's head in a tow for falling in love wi' a bonny young wanton widow."

'"That's said like yourself, my Lord," replied Rizzio. "Not one of all the Council has a right conception of the case."

'"Foggies!" exclaimed Morton, "Where could they get it? There's no' ane amang them, Dauvit, that has as meikle daft blood in his tail as a sybow, tho' they dinna want smeddum to make the e'en water, whether it be a case o' guilt or innocence. But I'm mair provoked at Prior Jamie than any other; for he's a douce young man, and it's weel kent that chields of that sort are Solomons amang the lasses. In sooth, Dauvit, it does not consort with my conceit of state wisdom to look overly curious aneath the Queen's bed or blankets. Puir forlorn young widow! it's no' decent to make such a hobbleshow; for after a', she may have been really diverting hersel'."

'"Your Lordship," replied Rizzio, "takes a plain and honest view of the matter. You see it with the spectacles of experience. Justice surely would be satisfied, were Chatelard sent out of the kingdom."

'"That's sensible, Dauvit. Really thou 's a clever deevil—I'll ay say that o' thee. But the Queen hersel' is the worst of a'. It's an unco' thing to hear o' folk so fond o' blood: nae doubt it comes of Papistry; for when I was in that delusion, Gude forgie me! I had a kind of heartfelt satisfaction in seeing a head chappit aff, especially when the axe was blunt, and the job was hagglet: it gart me grind my teeth with a feeling like fainness."

'"Your Lordship could not better show the mercifulness of your reformed nature than by your compassion for Chatelard. I grieve to think his case is so hopeless. Perhaps, however, when the trial is over, your interposition then may be more effectual."

'"But what fashes me most about it," replied the Earl, "is the marvelling it may breed abroad. We'll just be laughed at for being o' sic a maiden morality."

'"It may deter the princes"—

'"Pa, pa! Dauvit, gie thysel' nae concern about them. What cares a kiesor o' Almaigne, or an Italian hircos, about sic a stale commodity as chastity? It would ne'er hae been a mot in the Queen's marriage wi' the best o' them, had Chatelard been catched cuddling in her bosom. But, Dauvit, I redde ye tak' tent what ye do anent this matter o' the marriage; for we'll no allow our hiefer to mell wi' far aff cattle. Scotland's no to become a pendicle to another kingdom. So ye'll ne'er let wot to the Imperator, nor to Philip o' Spain, that the Queen's a wanter; but fin' out some canny princie, in straightened circumstances, that will be thankful for his promotion, and biddable to the barons and 'states o' the realm."

'With this advice the Earl retired to attend her Majesty in the Council Chamber, where Rizzio soon after presented himself with the drafts of the letters he had been directed to prepare, and received not only the Queen's commendations for the elegance of the diction, but also the applause of more than one of the counsellors for being a fairer writer than his predecessor.

'"It behoves us now," said the Earl of Morton, "to consider to what courts the letters should be sent: for it's my notion, please your Majesty, that the dignity of this your ancient realm will be best maintained by waling your gudeman frae out the lesser princes of Christen-

dom: for it was a great fear among us a', that had your Majesty been graciously pleased to bear a bairn to the French king, Scotland might have become a commodity to France, and been dragged through nae better than dirt and defamation until her royalty was utterly destroyed."

'In this patriotic sentiment the whole Council concurred; and the Queen assured them that she would leave the choice entirely to them, for she had no doubt they would see well to the weal of the state, and she added, with a smile to the Earl of Morton, that she trusted her personal happiness would not be forgotten.

'"Your Majesty," said the Earl, "need gie yoursel' nae concern about that; for as it's no' a king we hae to look for, but only a solatium for your widowhood, our first duty will be to please you; and, therefore, I trust my noble friends here will no be overly scrupulous anent the talents of the prince, but look to the parts of the man. Indeed, clever princes, which, thanks be praise! are no' common, hae seldom been a convenience in Scotland; and as we are content with your Majesty's great power and capacity for ruling a camstairie people, we'll make choice o' a weel faur't man o' a moderate capacity."

'When this part of the deliberation was over, her Majesty retired, and the Council proceeded to issue the necessary orders for the trial of Chatelard, and they were carried into effect next day; for, as Lord Morton said,

'"Since ye will put him to death, there's Christianity in putting him out o' pain wi' a' reasonable expedition."'—Vol. ii. p. 303-8.

We suppose that it is perfectly useless in us to recommend Mr. Galt to write nothing else but Lawrie Todds; in other words the history of Scotch human nature, in various circumstances; for he will doubtless be decided in his movements by far more weighty counsels; nevertheless the world would be a gainer if his powers were exercised on the subjects he best understands.

Art. VI.—*An Account of the Great Floods of August* 1829, *in the Province of Moray and Adjoining Districts.* By Sir Thomas Dick Lauder, Bart. of Fountain Hall, F. R. S. E. Edinburgh. Adam Black. 1830. 8vo. pp. 418.

It may at first sight seem strange to some that the *reliquiæ diluvianæ* of a Lammas flood, or *speat*, should have been thought of sufficient importance to occupy a goodly-sized octavo of four hundred and eighteen pages, illustrated by a couple of maps, and embellished by no less than sixty-four etchings. But when the facts are known, all wonder on this score will cease. Occasional floods, in particular districts, more especially in those connected with, and in some measure dependent upon, a mountainous region, are matters of too common occurrence to attract much attention, or to require any other notice of their

outbreakings than can be conveyed in an ordinary newspaper paragraph. The case before us, however, is one of a very different description indeed, deriving a fearful importance, not less from the unprecedented magnitude of the calamitous visitation itself, than from the sweeping devastations it committed, and the physical changes of which it has been productive, throughout a tract of country equal in extent to nearly one-fourth of the whole kingdom of Scotland. The floods of the 3rd and 4th of August, 1829, to say nothing of the "appendix flood" of the 27th of the same month, extended simultaneously, and with almost equal violence, over a space of from five to six thousand square miles; including that part of the north-east of Scotland which would be cut off by a line drawn from Stonehaven, on the east, along the range of mountains forming the western boundary of Aberdeenshire, crossing part of Badenoch nearly at right angles, intersecting the spey at the point where it receives the Truim, sweeping round the western shoulder of the Monolia mountains to the embouchure of the river Foyers in Lochness, and thence running along the southern shore of the lake to Inverness. Within the space thus defined all the rivers were of a sudden flooded by raging torrents, which speedily broke out far beyond the limits of former inundations, while the destruction of roads, bridges, buildings, lands, crops, and plantations, along the courses of the streams, was proportionally rapid and extensive. Every precaution which had been previously taken to guard against the destructive ravages of floods proved unavailing; and hundreds who thought themselves far beyond the reach of danger, were surrounded, and their retreat cut off, while indulging an idea of fancied security. It seemed indeed as if the very foundations of the mountains had been destroyed, the fountains of the great deep broken open, and a second deluge let loose to destroy both man and his works. Vast masses of alluvial earth, rising into subordinate hills, were undermined and swept away, with the houses, animals, and whatever else covered them, as if they had been wreaths of snow;—roads to the extent of many miles were cut up, destroyed, and almost entirely obliterated; — bridges, some of them, as that over the Dee at Ballater, built of granite, and founded on the living rock, were not merely overturned, but, in some instances, the whole mass of their masonry was carried to a considerable distance down the rivers;—wherever the inundation reached, the crops were destroyed, the grain being either chilled at the roots by the water, carried off by the impetuosity of the currents, or buried under deposits of sand and gravel;—in haugh lands the soil was for the most part swept away, and

hundreds of the finest and richest fields, bearing the most luxuriant crops, were rendered for ever incapable of cultivation;—whole plantations of trees were either levelled by the hurricane, or torn up by the roots and hurried along with incredible velocity by the currents, which nothing seemed capable of withstanding;—rivers, also, forced out of their old channels, instantaneously hollowed out new ones, and thus changed the whole character and land-marks of the district through which they flowed;—human life was every where more or less endangered, and marvellous indeed are many of the providential escapes which our author has narrated; and to add to the misery and ruin of the poor people who were overtaken by this Ogygian deluge, the catastrophe was so sudden, and the outbreaking of the rivers so violent, that, abandoning all idea of saving their property, they were fain to escape with their lives to some elevated spot, there to await the assuaging of the waters, and the abatement of the tempest. Nor was it one of the least remarkable circumstances attending this awful dispensation, that, while the flood was ravaging the earth, the heavens seemed to be on fire, and all the elements of nature striving, as it were, to add to the horror and sublimity of the scene. In truth, the storm which burst over the tract of country above marked out had all the characters of a tropical hurricane; the wind blowing in sudden gusts, accompanied with whirlwinds, the atmosphere being illuminated with a lurid flickering light, produced by incessant flashes of lightning, which seemed to proceed from all points of the compass, and the thunder rolling, rattling, and crashing, like the unequal but continuous sound of artillery, during the heat of a great battle. The scene, in short, must have been one of intense sublimity, defying the utmost powers of language to describe it, but incapable of ever being erased from the memories of those who beheld it in all its terrific grandeur and power.

It was with the view of presenting to the public an authentic and detailed account of the memorable flood of August, 1829, that the very able and interesting work before us was undertaken, at the suggestion, we believe, of the learned gentleman (Mr. Henry Cockburn) to whom it is so affectionately dedicated; and certainly, no one could have been thought of, better qualified in all respects, than Sir Thomas Dick Lauder, for the successful execution of such a task. Himself a resident proprietor in Morayshire, Sir Thomas had not only been an eye-witness of the devastation committed on his own beautiful estate of Relugas, but he had beheld the inundation of the Findhorn, both above and below this point, when at the very highest, and had examined with the utmost care all the havoc

it had wrought, and all the changes it had undergone, even before he was persuaded to become the historian of the "Great Floods;" and being thoroughly acquainted with the whole of the large tract which had been more or less affected by the floods, as well as possessing the most ample means of acquiring accurate information respecting the state of those districts which he might find it inconvenient or impossible to examine personally, it is obvious that, in point of local knowledge, and the collateral advantages resulting from it, Sir Thomas was eminently fitted for the task which he has so faithfully and skilfully performed. Besides, he is known to be a man not less distinguished for his scientific than his literary acquirements. He appears to be intimately conversant with various branches of natural science, particularly geology; while his paper on the Parallel Roads of Lochaber, published in the Transactions of the Royal Society of Edinburgh, contains the first and only feasible explanation that has yet been offered of these remarkable formations. In literature, again, the novels of *Lochandhu* and *The Wolfe of Badenoch*, which are now known to have proceeded from his pen, display considerable powers of invention and description justly entitle their author to a highly respectable place among the writers of his time. The former of these is, indeed, a very finished picture full of interesting situations, striking incidents, and the richest delineations of natural beauty and magnificence; while the latter, although it betrays haste, and lacks the benefit of the *novissima cura*, which none knows better than the author how to bestow, is manifestly a work of uncommon power, and, in some parts, as for example in the description of the battle of Otterbourne, will not lose much by a comparison with the most successful efforts of the Great Known himself. In a word, whether we take into view the local position and knowledge of the author, with the opportunities he enjoyed of deriving information from the best sources, or advert to his varied acquirements, scientific and literary, there can be no doubt whatever, that Sir Thomas Dick Lauder was, in all respects, the fittest man living for recording and describing these memorable floods; and the work before us has nobly vindicated the judgment and discrimination of the learned gentleman formerly named, in suggesting to him a subject so interesting in itself, and which he alone was qualified to treat in a manner commensurate with its very great importance.

Sir Thomas's plan is at once simple and natural. He takes in their order the different rivers which have their origin in the mountainous region, where the principal fury of the hurricane discharged itself, beginning with the Nairn, which is the most

northerly, and traces each in succession, from its source, to its embouchure; detailing the ravages committed on both banks, and enlivening his statements with numberless anecdotes of hair-breadth escapes, and of individual prowess or suffering, together with a variety of legends and traditions connected with particular spots, thus imparting the interest of a romance to a work possessing the most indubitable characteristics of historical truth. Such, indeed, were the extraordinary scenes to which these memorable floods gave rise; so unexpected and appalling were the situations they produced; and so powerfully were the human feelings acted upon, by the alternations of hope and despair on the one hand, and of the most heroic and fearless exertion on the other, that the simple narrative of facts, awakens deeper sympathies, and excites more thrilling emotions, than all the fanciful pictures of horror and desolation, that were ever drawn; for which reason we think Sir Thomas Dick Lauder has judged wisely in giving, as nearly as possible, in the language of the poor sufferers themselves, their own respective accounts of their situations and feelings, of the efforts made by them for their own, and the preservation of their friends and families, and of the circumstances attending their ultimate deliverance from danger. By following this plan, he has imparted to his narrative a species of dramatic interest, without in the least degree detracting from its historical value; and relieved the dry detail of ravage and desolation by constant appeals to our sympathy with our fellow-creatures in distress. But still its greatest recommendation consists in its exceeding accuracy, and in the care which the author has taken not to state a single circumstance, however trifling, which is not vouched and supported by the most unexceptionable testimony. No pains have, in fact, been spared to render the narrative wholly unimpeachable in an historical point of view; and that the reader, if so disposed, may have an opportunity of putting its fidelity to the test, as well as of judging of the diligence exercised in collecting information, wherever it was likely to be found, the author has subjoined to his Preliminary Notice, a list of the names of the different gentlemen to whom he has been indebted for communications on the subject of his work; a precaution which, in our author's particular case, might easily have been dispensed with; but which, nevertheless, cannot fail to stamp his work with a more authoritative character, in the estimation of those to whom he is personally unknown, or who have had no opportunities of becoming acquainted with those eminent private and domestic virtues, which reflect so pure a lustre on his intellectual attainments.

Sundry prognostics of the great flood of the 3rd and 4th of August, 1829, were, as usual, remembered after the event, although they attracted but little attention at the time of their occurrence. During the preceding months of May, June, and July, the heat in the province of Moray was unusually great; and the drought, in the earlier part of that period, so excessive as to kill many of the recently-planted shrubs and trees. As the season advanced, the barometer also exhibited very remarkable fluctuations, but unaccompanied with those alternations of weather which commonly follow such oscillations: on the contrary, the results were frequently the very reverse of its prognostications; so much so, that observers of the instrument began to lose all confidence in its indications, or to interpret them by the rule of contraries.* About the beginning of July, the aurora borealis appeared with unusual brilliancy; and became, as it were, the signal for the commencement of windy and unsteady weather, accompanied with sudden falls of rain, partaking of the character of water-spouts; a remarkable instance of which occurred at Kean-loch-luichart, a Highland hamlet, so called from its situation at the head of Lochluichart, in the parish of Contin, in Ross-shire, which was almost entirely swept away on Sunday, the 12th of July, while the people were attending divine service in the church; together with a bridge, and all crops within reach of the debacle by which the hamlet was suddenly assailed.† But the deluge of rain which produced the flood of the 3rd and 4th of August, fell chiefly on the Monolia Mountains, a group

* Sir Thomas Dick Lauder ascribes these apparent derangements to certain electrical changes in the atmosphere, which undoubtedly constitute the primary cause of barometrical oscillations; but he forgets to take into account the more immediate effect of currents of air, which exert a powerful disturbing influence on the barometer, especially when they blow from particular quarters, as for example, from the east.

† The ravages of this water-spout having been confined to a space of about two miles on each side of the village, or hamlet, of Kean-loch-luichart, the poor ignorant creatures who inhabited it were led from this circumstance, to consider their calamity as a special visitation of Providence, because their landlord had given his vote in parliament for the removal of the Catholic disabilities. It never occurred to these simple people to inquire whether Providence had any just title to be offended at an act which restored seven millions of people to their natural liberty; and cut off one of the great sources of disturbance and crime in the sister island; or, supposing the vote of their landlord tantamount to a betrayal of the trust reposed in him, and a gross violation of the fealty he owed to the cause of bigotry, how they came to be so severely punished for his transgression. On minds under the influence of superstition or bigotry, the simplest suggestions of reason, and the most obvious dictates of justice, are equally incapable of making the slightest impression.

stretching between the south-eastern shores of Lochness and Kingussie, in Badenoch, and massed together, in very irregular forms, as a sort of counterpoise to the somewhat independent range of the Cairngorums.

'The westerly winds, (says our author) which prevailed for sometime previously, seem to have produced a gradual accumulation of vapour, somewhere north of our island; and the column being suddenly impelled by a strong north-easterly blast, it was driven towards the south-west; its right flank almost sweeping the Caithness and Sutherland coast, until, rushing up and across the Moray Frith, it was attracted by the lofty mountains I have mentioned, and discharged in torrents perfectly unexampled.'—p. 3-4.

In whatever way this vast "accumulation of vapour," was formed, there can be no doubt whatever that our author is completely borne out by the facts in assigning its direction, as well as in stating that it discharged the principal weight of its waters on the Monolia range. At Kirkwall, in Orkney, there was a violent storm of wind and rain on Monday, the 3rd of August; a similar deluge was experienced at Wick, and much damage done in the parishes of Watten, Halkirk, and Latham; while in Sutherland and Ross-shire, both situate to the westward of the line above described, and in the country to the north of Lochness, little or no injury was done. On the other hand, the Nairn, Findhorn, Lassie, and other rivers, were all more or less affected by the flood, exactly in proportion as they are more or less connected with the range of mountains which first received the column of drifted vapour; and it is remarkable, that the part of the Spey which is above the line formerly described, being that portion of the river intercepted between its source, in a small loch to the westward of Corryarrach,*

* The mountain so called is chiefly remarkable for the military road which the renowned Marshal Wade carried over the top of it, by means of a series of traverses, in order to connect the elevated plateau of Badenoch with the central point of the Glen-mhor-na-Albyn, or Great Glen of Scotland, at Fort Augustus; and it was on beholding this wonderful achievement of the road-making Marshal, that an Irish engineer officer said or sung as follows:—

"Had you but seen these roads before they were made,
You would have held up your hands and bless'd General Wade."

Ireland, we take it, is the only place in the world where people "see roads" "before they are made;" but, those who journey in those parts have so little reason to "bless General Wade," that it is impossible to cross Corryarrack, without execrating him with all one's heart, and soul, and strength. A more villanous road, in fact, was never made by human or inhuman hands. It is so narrow, that two Highland cars can scarcely pass each other without danger; the curves of the traverses are in almost every case carried to the very brink of the precipice, where

and the point where it receives the rapid stream of the Truim, was scarcely swoln at all; while below Kingussie it rose to an unexampled height, and wrought incalculable mischief, throughout the whole of its course from that place to the sea. The Deveron, the Don, the Dee, and the two Esks, were each of them operated upon in the precise ratio of their connection with the system of mountains above-mentioned.

Some appear to have doubted whether the fall of rain was sufficiently great to account for so tremendous a flood, and to have imagined that the deluge must, in part at least, have been occasioned by the breaking out of subterranean waters; but these notions evidently proceed upon a mistake, arising from the undefined form which the rain, acted upon by the hurricane, assumed. For, although it descended at intervals in heavy drops, yet it was for the most part broken by the blast, into extremely minute particles; which, however, came down so thick, "that the very air itself seemed to be descending in one mass of water upon the earth;" penetrating through the best-finished windows into every room exposed to the north-east, which it speedily deluged, and destroying prodigious numbers of the lesser animals, birds, and especially game of all kinds.

'But the question, (says our author) as to the quantity of rain, is settled by the accurate observations of Mr. Murdoch, gardener to his grace the Duke of Gordon, at Huntly Lodge, who states, that 3·75 inches of rain fell between five o'clock of the morning of the 3rd,

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the slightest neglect would prove instantly fatal; wherever there is a part of the hill more steep, rugged, and precipitous than another, the Marshal has taken care to force his execrable road over the top of it; while, in following his zig-zags, from Garramore to Fort Augustus, you are compelled to travel at least eight miles more than there would have been any occasion for, had this famous military blockhead known how to survey the ground, and take advantage of the numerous ravines with which the mountain is intersected to the westward of the present line. This remark is more or less applicable to all the roads made by him. He never dreamt of turning an obstacle, or making a detour to avoid a precipice; but like a butting bull, pushed ram-stam forward, reckless alike of inconvenience or danger. Corryarrack is also famous as the scene of General Cope's first disgrace, in 1745, when he shrunk from a battle with a handful of Highlanders, who had rallied round the Prince's standard, and sneaked away to Inverness, leaving the road to the low country open to those unbreeched barbarians—the very object which their leaders proposed to accomplish by fighting a battle. Had Cope remained firm, the rebellion would, in all human probability, have been nipt in the bud; but poor Johnny's talent lay not in fighting, which is by no means a safe or salutary employment, but in running away whenever there appeared any risk of coming to blows. "The better part of valour," he had studied with such success, that his name has been immortalised in songs, and his fugacity commemorated alike in legends and in histories.

and five o'clock of the morning of the 4th of August; that is to say, taking the average of the years, from 1821 to 1828, inclusive, about one-sixth part of our annual allowance of rain, fell within these twenty-four hours.'

And surely, if such was the quantity that fell at Huntly Lodge, situated at so considerable a distance from the Monolia* range, where the cloud of accumulated vapour principally discharged itself, it is not too much to suppose that the deluge which descended on these mountains, in the course of twenty-four hours, was at least six times greater, or, in other words, equal to the average annual supply for the preceding eight years; a quantity amply sufficient to produce the mighty flood in question. But there is another circumstance which, with reference to this subject, is well deserving of attention.

'Any given quantity of rain, (as our author justly observes) must now produce a much greater flood than it could have done before the country became so highly improved. Formerly the rain drops were either evaporated on the hill side, or were sucked up by an arid or spungy soil, before so many of them could coalesce so as to form a rill. But when we consider the number of open cuts made to dry-hill pastures—the numerous bogs reclaimed by drainage—the ditches of enclosure recently constructed, and the long lines of roads formed with side-drains, back-drains, and cross-conduits, we shall find that, of late years, the country has been covered with a perfect net-work of courses, to catch and to concentrate the rain-drops as they fall, and to hurry them off in accumulated tribute to the next stream.'—pp. 8-9.

Is it then to be wondered at, that a fall of rain in a few hours, fully equal to the average quantity which descends in an ordinary year, should, when collected and concentrated by the net-work of water-courses, with which the progress of improvement has overspread the whole of the uplands, have produced a flood of unparalleled magnitude; and incomparably more destructive to the labours of human industry, than any of which there exists either record or tradition? All circumstances considered, indeed, the only marvel is, that its ravages were not even more extensive and disastrous, than they actually proved.

The primary deluge of the 3rd and 4th of August was followed by a secondary and less extensive outpouring on the 27th of the same month. This "appendix flood," as Sir Thomas calls it, was preceded by a westerly wind, which afterwards chopped

* Conformably to the prevailing vicious system of Gaelic orthography, Sir T. Lauder writes this word Monadh-leadh, which literally signifies "gray mountains." It ought, however, to have been written Monadh-liadh, even according to this system.

round to the north, and blew for a time from that quarter; but as it soon reverted to its original direction, and maintained its hold of the west, the vapour was principally dispersed over the country to the northward of Inverness; and none of the rivers which take their rise in the Monolia group were materially affected by it, except the Nairn, which it raised higher than the previous flood had done. The damage it occasioned was nevertheless considerable. The Blackwater flooded the whole valley of the Garve, inundating the inn to the depth of four feet, and rendering it necessary to fasten safety-ropes to a hill in front; the Alness did considerable damage to the estate of Teaninich, and the Beauly overflowed the whole of Strathglas; the burn of Moniack worked sad havoc in the beautiful place of that name, where the damage done was estimated at 500*l.* besides carrying away a bridge, and endangering the residence of Mr. Fraser of Auchnagairn; the Ness was also affected; Loch Mickly in Glen-urquhart considerably raised, and the Mona so much swoln as to fill the whole chasm, of sixty feet in width, where it throws itself over a precipice of a hundred feet in height; while the Enrick, the Devah, the Morriston, and other rivers on the north side of Lochness, proved very destructive to the crops, besides doing much damage to bridges, buildings, and the soil which they overflowed. On the south of Lochness, the river Farrigaig was never known to be so high. It inundated to a great extent the property of Fraser of Lovat, and, in particular, it broke through the bulwarks of the mill-stream of Torness, surrounding the house, which it entered by the doors and windows, and placing the miller and his family in the utmost jeopardy.

'At the summer-grazing of Killin (our author adds) the herdsmen's huts were so instantaneously surrounded, that the inmates were compelled to flee to the best shelter they could find on the cold face of the neighbouring hill, where they remained all night. But they were happy in comparison with one family, who, being too late in attempting to get away, were compelled to sit, man, wife, and children, on two old doors, propped up under the roof, in terror and darkness, till relieved next day. But the most wonderful escape in this district was that of a poor woman, who, in attempting to cross the Calderburn on two narrow planks, below the house of Croachy, was carried off, bridge and all, and hurried down the stream about half a mile. Luckily she was kept floating by the buoyancy of her garments, until she was fortunately rescued by an accidental passenger.—pp. 7, 8.

So much for the "appendix flood" of the 27th of August, which we dismiss with this brief notice, and now proceed to lay before our readers some details connected with the primary

inundation of the 3rd and 4th, selecting such as we consider best calculated to display the descriptive powers of our author, and to give the public an idea of the horrors and dangers of that extraordinary visitation.

The damage done by the Nairn was great in itself, but almost nothing compared with the ravages committed by the Findhorn and the Spey. We shall not, however, attempt any description or statement relative to this matter, but content ourselves with extracting a few anecdotes and details from the work before us. The following, we think, will be read with intense interest, as the escapes of Pryse and of Mackintosh are both equally remarkable:—

'John Pryse, one of Lord Cawdor's labourers, was sent in the forenoon of the 27th with a cart, drawn by a very active mare, to carry to Inverness the baggage of Lord Henry Thynne and Sir Rowland Hill, who had been on a sporting visit at Cawdor Castle. On his return, Pryse reached the inn of Clephanton, a quarter of a mile north of the bridge of Kilravock, about eight o'clock in the evening, and was there told by the landlady that the river was so much out over the level ground to the south of the bridge, as to render it madness to attempt to cross. But, having afterwards held a consultation with the hostler, it was determined that there could be no harm in going down to look at the river. Pryse was quite willing to believe there was no danger, for he was completely soaked with the heavy rain, and therefore felt extremely desirous to get home. They passed the bridge without interruption; but, on reaching the lower end of it, they found the road covered with water, though, from its muddy state, and the darkness of the night, it was impossible to tell either the depth or the extent of the angry flood that rolled before them. But Pryse said, he knew the direction of the road, which was somewhat elevated above the corn-land on either side of it; and, trusting to that knowledge, he was determined to attempt the adventure. The hostler waited at the end of the bridge to watch how he might succeed. Pryse boldly entered the water, but the cart had not gone many yards when it, and mare, and man, disappeared at once from the terrified eyes of the hostler, who, without waiting for farther information, ran back in horror to the inn, screaming for help.

'When the landlord and others got down to the bridge, they were in some degree relieved by hearing the cries of Pryse, which at least assured them that he was still alive, and on some place of temporary safety. A hoarse and short conversation, maintained with him among the roar of the elements, informed them that he was sitting in his cart, which had been providentially arrested at some distance below the bridge, that the water was up to his middle, and that he had extricated his mare from the shafts by cutting away the harness. He implored them for help, as he every moment dreaded that the force of the water would sweep away the cart into the main stream, where his destruction must be certain and immediate. Unremitting were the

exertions made by those on the bridge to save him by means of ropes, and by attempts to reach him by means of wading; but the darkness of the night, and the depth and fury of the torrent, rendered all their efforts unavailable, until three o'clock in the morning, when the river had so far subsided that he was rescued without much difficulty, after having been seven hours in the water. It was then discovered that the whole of the level half-moon *haugh* of Culbeg, of twenty-five acres in extent, had been flooded; and, when the water ebbed away, it appeared that the mare had been interrupted in her passage along the road by some great trees stranded there, and that, in trying to get round them, she had turned off into the corn-field, and was carried down by the deep and strong current, till stopped by a flow-bank about four feet high. Had they gone a yard or two farther, they must have been inevitably swept through a breach in the bank, directly into the main current of the river. The mare, after being released, swam away, till she fortunately grounded on a hillock, where she had the wisdom and patience to remain stationary till her master was relieved. The Haugh of Culbeg had the whole of its crop completely annihilated. An elevated bank bounds the half-moon on its straight side, and also marks the boundary between the estates of Kilravock and Cawdor at this point, having been probably declared so at the time the river ran along its base. Some generations ago, the proprietor of Kilravock besought him of Cawdor, to permit his tenant's house of Culbeg to be built on the top of the bank. The boon was refused, and its refusal had nearly proved fatal to the present worthy farmer, James Mackintosh and his family, who narrowly escaped destruction on the late occasion. I visited this poor man, now above seventy-three years of age, and who, to add to his other misfortunes, is deaf, a circumstance that rendered our conversation loud and long. He took me into his house, a few yards from the foot of the bank I have mentioned. It still exhibited wreck and desolation. The very smell of it was like that of a house newly disinterred, after being buried for a century. The old man, drenched and woe-begone, looked down from the bank on the utter ruin of his farm, with the expectation of seeing his house and all that it contained borne away by the billows. For two days were he and his family kept out of their dwelling. At length circumstances permitted them to return to it; and thanking God for their personal safety, they set themselves to put matters about the premises in order. They were beginning to recover a little from their panic, when the yet more terrible flood of the evening of the 27th visited their habitation, and filled the rooms to the height of five feet, as I ascertained from the stain it had left on the plaster. Being more quickly alarmed, on this occasion, their flight was more precipitate. "But," said Mr. Mackintosh to me, as we stood on his damp and disconsolate floor, "I minded me o' something I wad ha'e done ill wanting; and so I wade back again, and crap in at that window there, and after grapin' aboot and gettin' a haud o' what I was seekin', I was gawin' to creep oot again, when I bethought me o' my specks"—"Specks!" roared I into his ear,

"how could you risk your life for a pair of spectacles?"—"Trouth, Sir," replied he seriously, "I could na' ha'e read my Bible without them, and, mair nor that, they were silver specks, and they were specks sent me hame in a praisant frae my son the Yepiscopal meenister in Canada." This was unanswerable, and I was glad to learn that the result of his boldness was the salvation of his "specks," as well as of the purse or pocket-book, into which I presume to interpret what he called "the things he wad ha'e done ill wantin." Not a particle of corn was spared to him, and even the straw was so completely ruined, that he was compelled to sell off his live stock and to give up the farm. As he told me himself, "he was three days on the hill looking over this disagreeable affair;" yet I heard no murmur of complaint escape him, and all his talk was of thanks to God for the preservation of himself and his family.'—pp. 19—23.

Our next extract will be found of a more tragical description. It exhibits a most heart-rending scene in such vivid presentment that we almost fancy it passing before our eyes, and sympathetically participate in the agonising feelings of the beholders, eager to afford relief had it been in the power of mortal man to do so:—

'On the evening of Saturday, the 1st of August, the Rev. James Grant, minister of Nairn, observed a dark cloud hovering over the sea, in a straight line between Cromarty and Findhorn. It soon assumed the shape of a huge black column, with its base resting on the surface of the waters, and its top apparently reaching the clouds. It remained for a considerable time, during which he particularly remarked its circumgyrations to be very distinct. It then became lighter and bluer in colour, until it gradually disappeared. This ascending waterspout was also seen by Dr. Smith and others. The morning of the 3rd was ushered in by heavy rain at Nairn, and in the afternoon the gale from the north became tremendous, and the loitering fishermen cast many an eye towards the Firth, where the lowering sky seemed as if stooping to mingle its waters with those of the sea, and where both were so lashed up together by the furious blast, that it became difficult to tell the precise boundary between them. About six o'clock in the evening, a sail was descried off the sand-hills to the north-east of Nairn. She seemed to struggle forth from the dark mantle of mist, obscuring the horizon in that direction. It was a schooner-rigged vessel, and she came staggering along before the wind as if in sore distress, with her mainsail torn and flying before her. To the weather-beaten men of the sea, who anxiously watched her motions from the pier, she at first seemed as if endeavouring to make the harbour of Nairn, or run aground on the back-shore, as the only remaining chance of safety; but as she neared, it became obvious to every experienced eye, that, whatever were the wishes of those on board, they were utterly unable to carry them into effect, from her water-logged and unmanageable condition. Terrific as was the storm, yet there were hearts there tender as those of women for

the miseries of others, and firm as the toughest oak, when danger was to be grappled with, who would have sprung to brave the tempest in any cause of humanity. But to launch a boat in such a sea was impossible. Nor could their well-meant succour have availed, even if they could have passed beyond the overwhelming surf that broke upon the shore. Opposite to Nairn there is generally a strong current setting from the east towards Delnies, and Whiteness-head, to the westward. Already had the fated vessel been driven into this current, and notwithstanding the furious northern blast, she was hurried rapidly on, like the floating carcass of some drowned creature devoid of voluntary action; and after being carried for a time as if towards Cromarty, she was seen to sink almost instantaneously, leaving only a few feet of one of her masts above water, as a frail and transient monument, to mark the spot where the last despairing shriek of the crew had been stifled by the waves. A subdued exclamation of horror burst from those who witnessed the spectacle. Each felt that such might one day be his own fate, and with compressed lips, contracted brows, and moistened eyes, they slowly separated to return to their homes.'—pp. 26—28.

Speaking of the injury done by the flood to the harbour of Nairn, the author mentions a circumstance which is well deserving of attention:—

'One very remarkable feature in the surrounding scene was a fishing hut, about twelve feet long, standing on a beach in the middle of the river, constructed of four posts, with bearers stretched between them at top and bottom, and covered, roof and all, with outside planks. While the bridge, the pier, the vessels, nay the very rocks, were yielding to the furious force of the deluge, this ark stood unmoved in the midst of the waters of both floods, and uninjured, except that it was swayed a little from the perpendicular. No building of stone and lime could have stood in the same place. Its preservation, therefore, is worthy of record, as a valuable fact, to prove how much mere posts and planks will resist in such a situation. It stands as a useful instructor to the burghers of Nairn, for the restoration of their harbour, the damage done to which is calculated at 2,500*l.*'—pp. 32, 33.

Having completed his survey of the ruin wrought by the Nairn, the author proceeds to the Findhorn, and in describing the entrance to the districts called the Streens at Eanach, one of the most romantic passes in the Highlands, he tells the following story:—

'Immediately within the pass, and on the right bank, stand the ruins of the interesting little mansion-house of Pollochock. Macqueen, the laird of this little property, is said to have been nearer seven than six feet high, proportionably built, and active as a roebuck. Though he was alive within half a century, it is said that in his youth he killed

the last wolf that infested this district.* The prevailing story is this :—A poor woman, crossing the mountains with two children, was assailed by the wolf, and her infants devoured, and she escaped with difficulty to Moyhall. The chief of Mackintosh no sooner heard of the tragical fate of the babes, than, moved by pity and rage, he dispatched orders to his clan and vassals, to assemble the next day at twelve o'clock, to proceed in a body to destroy the wolf. Pollochock was one of those vassals, and being then in the vigour of youth, and possessed of gigantic strength and determined courage, his appearance was eagerly looked-for to take a lead in the enterprise. But the hour came, and all were assembled except him to whom they most trusted. Unwilling to go without him, the impatient chief fretted and fumed through the hall; till, at length, about an hour after the appointed time, in stalked Pollochock, dressed in his full Highland attire; "I am little used to wait thus for any man," exclaimed the chafed chieftain, "and still less for thee, Pollochock, especially when such game is a-foot as we are boune after!"—"What sort o' game are ye after, Mackintosh?" said Pollochock simply, and not quite understanding his allusion, "The wolf, sir," replied Mackintosh; "did not my messenger instruct you?"—"Ou aye, that's true," answered Pollochock, with a good-humoured smile; "troth I had forgotten. But an that be a'," continued he, groping with his right hand among the ample folds of his plaid, "there's the wolf's head!" Exclamations of astonishment and admiration burst from chief and clansmen as he held out the grim and bloody head of the monster at arm's-length, for the gratification of those who crowded around him. "As I came through the slochk,* by east the hill there," said he, as if talking of some everyday occurrence, "I forgathered wi' the beast. My long dog there turned him. I buckled wi' him, and dirkit him, and syne whuttled his craig, and brought awa' his countenance, for fear he might come alive again; for they are very precarious creatures."—"My noble Pollochock!" cried the chief in ecstacy; "the deed was worthy of thee! In memorial of thy hardihood, I here bestow upon thee Seannachan, to yield meal for thy good greyhound in all time coming." Seannachan, or "the old field," is directly opposite to Pollochock.'—pp. 41—43.

There is something horrifically picturesque in the extraordinary disinterment narrated in the following passage, particularly in the remarkable state of preservation in which, after the lapse of a century, the corpse of the unhappy suicide was found :—

'Coming to the Relugas property, on the right bank, we have a striking example of the power of water. The marsh-ditch was cut in a direct line from the hill towards the river, passing in its way thither alternately along broad plains and down steep banks. At one

* 'Wolves are believed to have been extirpated in Scotland about the year 1680, but there is reason to suppose that they partially existed in remote districts considerably after that period.'

† 'Hollow or ravine.'

place, immediately above where the public road now runs, it was carried past Cumin's Cairn, rising on the verge of a steeply-inclined bank of seventy or eighty feet high. This heap of stones was raised over the body of a man of the name of Cumin, who, having hanged himself in his barn in the beginning of the 18th century, that is to say, about one hundred years before the time I now speak of, was buried on the marsh, according to the custom observed with suicides. The moment the ditch was opened down the face of the bank, it collected the water of every shower of rain; and, being thereby converted into a temporary cataract, a gully of immense magnitude was cut in the alluvial matter in the course of a year or two. The bottom of this soon formed itself into an inclined plane, of above one hundred yards in length, after which the water ceased to have any effect on it. This sufficiently illustrates the law governing all streams in their operations on the face of the earth, which have all a tendency, by deepening one place and filling up another, to reduce their channels to inclined planes. After a flood, which brought down a good deal of the loose material on the sides of the gully, a boy, tending cattle, observed something like long red hair streaming in the breeze, near the top of the broken bank. On climbing up to investigate the matter, what was his horror and dread when he discovered that the hair was attached to a ghastly human head! He fled home in terror, and the people crowded out to see the wonder. There they found the corpse of Cumin, so entire, that if any one could have known him alive he must have perfectly recognized his features. The head protruded horizontally from the bank, and the exudation from the body had tinged the sand beneath it of a black colour, to a considerable depth. The cause of the preservation of the body was manifestly the dry ferruginous sand it was buried in. The rope was found about his neck, and attached to the fatal beam. During the night following the discovery of the body, the man's descendants carried all off, and buried them in the churchyard of Edenkillie.'—pp. *55, 56.*

The following tale, which was related to the author by Mr. Cumming Bruce, is an admirable *pendant* to the wolf story, which we have already given:—

'The last wolves existing in this district, had their den in a deep sandy ravine, under the Knock of Braemoray, near the source of the Burn of Newton. Two brothers, residing at the little place of Falkirk, boldly undertook to watch the old ones out, and to kill their young; and, as every one had suffered more or less from their depredations, the excitement to learn the result of so perilous an enterprise was universal. Having seen the parent animals quit their den in search of prey, the one brother stationed himself as a sentinel to give the alarm in case the wolves should return, whilst the other threw off his plaid, and, armed with his dirk alone, crawled in to dispatch the cubs. He had not been long in the den, when the wolves were seen by the watchman hastening back to the ravine. A sudden panic seized the wretched man, and he fled, without giving the promised warning.

and never stopped till he had crossed the Divie two miles off. There, conscience-stricken for his cowardice, he wounded himself in various places with his dirk; and, on reaching Falkirk, he told the people, who eagerly collected to hear the result of the adventure, that the wolves had surprised them in the den, that his brother was killed, and that he had miraculously escaped, wounded as he was. A shout of vengeance rent the air; and each man, catching up whatever weapon he could lay hands on, the whole gathering set out, determined, at all hazards, to recover the mutilated remains of their lost friend.

'But what was their astonishment, when, on reaching the Hill of Bogney, they beheld the mangled and bloody form of him whom they supposed dead, dragging itself towards them. For a moment they were awed by a superstitious fear; but they soon learned the history of his escape. He had found little difficulty in killing the cubs, and he was in the act of making his way out, when the mouth of the hole was darkened, and the she-wolf was upon him. With one lucky thrust of his dirk, he despatched her at once; but his contest with her grim companion was long and severe; and, although he fought in that narrow place, and from behind the body of the brute he had killed, he was nearly torn to pieces before he succeeded in depriving his ferocious enemy of life. The indignation of the people against the dastard brother, on thus beholding his falsehood and cowardice made manifest, knew no bounds. They dragged him before the laird, who, on hearing the case, adjudged him to be forthwith hanged on the summit of the conical hill,—a sentence that was immediately put in execution.'

We have already stated, as one of the most attractive peculiarities of this work, the circumstance of the author having taken down from the lips of the sufferers themselves, and published, their simple, unadorned, but often picturesque and affecting narratives of their feelings in the midst of danger, the efforts they made for their own preservation, and not unfrequently marvellous accidents to which they were indebted for their ultimate safety. Of these homely narratives, that of the miller of Dunphail, which we here subjoin, will not be found the least interesting.

'It was in the afternoon of Monday the 3rd, that the Dorback began to send so much flood-water down the mill-run, as to occasion a stream to flow between the dwelling-house and the partially-wooded bank in front of it. This soon became so deep and strong, that, before the miller could get out his pony and his five cows, it was impossible to ford it; and the whole family, consisting of the miller, a boy his brother, the assistant miller, a lad, and a servant girl, were thus surrounded by the flood. The partial subsidence noticed every where else, took place here in the middle of the night, and the flood fell so considerably, that the prisoners might have got out, but conceiving that all danger was over, they neglected to avail themselves of

this opportunity. But, as they were engaged in religious worship, down came the river suddenly again upon them, re-established, with greater strength and depth than ever, the stream in front, that cut off their communication with the bank, and very soon afterwards it rose on the house, and poured into it both by the door and windows. "I ran," said the miller, "to the bed where my little brother lay; and, snatching him up, I carried him out to the meal-mill, the floor of which was elevated and dry, and I kindled a fire on the bricks, to keep him and the lass warm. By this time, the cattle were up to their bellies in water in the byre; and I ran to throw straw bundles under them and the pigs, to raise them, to prevent their being drowned. I had hardly returned to the house, when the south gable, which had the current beating against it, fell inwards on the other room, and I was instantly obliged to knock out that window in the north gable, to let the water escape, otherwise we must have perished where we were. About five o'clock, I observed my neighbours, John Grant and his wife, standing on the bank in front. The distance between us was not thirty yards, yet I could not make them hear for the fearsome roar of the water, which was now quite tremendous. Large trees were constantly coming down and striking against the carding-mill. The look up the water was awful. It seemed as if a sea was coming down upon us, with terrible waves, tossing themselves into the air, much higher than the houses.* I saw Grant's wife go up the bank, and she returned some time afterwards with four men. We watched them consulting together, and our hopes rose high; but when we saw them leave the place without making any attempt to save us, we thought that all hope for us in this world was gone. Willingly would I have given all I had, or might expect to possess, to have planted but the soles of my feet, and those of my companions, on yon bit green sod, then still untouched by the waters. Every moment we expected the crazed walls of the house to yield, and to bury us in their ruins, or that we and it together should be swept away. We began to prepare ourselves for the fate that seemed to await us. I thank Almighty God that supported me in that hour of trial. I felt calm and collected, and my assistant was no less so. My little brother, too, said, 'he was na feared;' but the woman and the lad were frantic, and did nothing but shriek and wring their hands.

'"While we were in this situation, we suddenly saw about sixty people coming down the bank, and our hopes revived. The four men had gone to raise the country, and they now appeared with ropes. All our attention was fixed on their motions. They drove a post into the ground, and threw the end of a thick rope across to me. This we fixed to a strong beam, and jammed it within the front window, whilst they on the bank made fast the other end of it to the post. A smaller rope was thrown over. This I fastened round the boy's waist, and he was dragged through the water to the bank, supporting himself all the

* Macdonald, the farmer of Tillyglens states, that the waves were so high, that he could not see the mills at all from his side of the river, till he climbed the bank.

way on the larger rope, that was stretched between the window and the post. The lass lost her hold, and was taken out half drowned; but, thank Providence! we were all saved. By six o'clock in the evening, the water had so fallen, that I made my way in, to give provender to the beasts. I then found that the whole Dorback had come over from the west side of the valley, and cut a new course close at the back of the mills. All the mill-leads were cut entirely away. A deep ravine was dug out between the houses and the bank—their foundations were undermined in that direction—the machinery destroyed—the gables next the river carried away—and all, even the very ground, so ruined, that it is quite impossible ever to have mills here again." '—pp. 74—77.

Among the incidents of the flood on the left bank of the Findhorn, below Coulternose, the following are some of the most remarkable:—

'The boat was now again brought up by the Kincorth horses to a point near the bridge over the Moy Burn. There Donald Monro again sprang forward, and Serjeant John Grant, an old pensioner from Findhorn, with David Reat, from Kinteasock, and Robert Dallas, claimed the honour of the Stripe Side adventure. After bringing the boat across the flooded bridge, they, with great difficulty, crossed the stream on the Moy side of it, and pulled along the road till the current became so strong that the people who waded breast deep to meet them, were compelled to haul them up by means of ropes. There was one individual in that boat whose exertions Mr. Suter says, he can never forget. The others were sufficiently active, but he was both physically and morally more energetic than they, and his conduct was so conspicuous as to call forth the frequent and united plaudits of all present. This was Donald Monro, who, from certain remarkable parts of his dress, was that day called *Straw Hat* and *Yellow Waistcoat*,—titles under which he gained so much honour, that he may well be proud of them for the rest of his life. He was now at the prow, now at the stern, now in the water to the neck, and again he was tugging hard at the oar: in short, he seemed to be the chief instrument of deliverance.

'Having pulled up as far as they could in the still water, they approached the desperate current formerly noticed as having swept away the two elms, and fearlessly dashed into its tumultuous waves. For a moment the spectators were in the most anxious doubt as to the result; for, though none could pull a stronger oar, yet the boat, in crossing a distance equal to its own length, was swept down 200 yards. Ten yards more would have dashed them to atoms on the lower stone-wall. But they were now in comparatively quiet water; and, availing themselves of this, they pulled up again to the park, in the space between two currents, and passed with a little less difficulty, though in the same manner, the second and third streams, and at length reached the houses. The spectators gave them three hearty cheers. By this time the Kerrs had been left scarcely three feet of

ground to stand on, under the back wall of the houses. A pleasing sight it was to see the boat touch that tiny strand, and the despairing family taken on board. After they were safely stowed, Yellow-waistcoat was observed wading, and sounding his way with a pole, till he reached the west end of the building, where he pounced upon an enormous hog, which he lugged down to the boat, and threw in as easily as if it had been a rabbit. "My indignation was stirred up against the Kerrs," said Mr. Suter, "thinking that, at such a time, they could have thought of risking Monro's life for such a purpose." But I was afterwards pleased to learn, that it was to preserve "poor Widow Ross's soo, which was a' that was noo left till her."

'How anxiously did the spectators watch every motion of the little boat that was now so crowded as very much to impede the rowers. They crossed the two first streams, and finally drew up for the last and dreadful trial. There the frail bark was again whirled down; and, notwithstanding all their exertions, the stern just touched the wall. The prow, however, was in stiller water; one desperate pull; she sprang forward in safety, and a few more strokes of the oar landed the poor people amongst fifty or sixty of their assembled friends. Then was there a meeting between parents and son! What gratulations! What greetings and embracings! What grappling of hearts and moisture of eyes ensued! All crowded round them to obtain one squeeze of their hands. "Hoot toot, nonsense!" cried the weather-beaten Rodney, dashing his rough hand across his eyes, "What's this o't? Toots! I canna stand this mair than you, bairns. Od I maun just greet it out."

'Old Kerr's account interested them all. Seeing their retreat cut off by the flood, they attempted to wade ashore. But the nearer the shore the deeper and more powerful was the current. The moment was awful. The torrent increased on all sides, and night, dark night, was spread over them. The stream began to be too deep for the niece, a girl of twelve years of age,—she lost heart, and began to sink. At this alarming crisis, Kerr seems to have been gifted with preternatural strength and presence of mind. He seized the trembling girl, and placed her on his back, and, shoulder to shoulder with his wife, he providentially, but with the greatest difficulty, regained his own house. Between 8 and 9 o'clock, he groped his way, and led his wife and niece up into the garret. He could not tell how long they remained there, but supposed it might be till about two o'clock next morning, when the roof began to fail. To avoid being crushed to death, he worked anxiously till he drove down the partition separating them from the adjoining house. Fortunately for him, it was composed of wood and clay, and a partial failure he found in it very much facilitated his operations. Having made their way good, they remained there till about eight o'clock in the morning, when the strength of the water without became so great, that it bent inwards the bolt of the lock of the house-door, till it had no greater hold of the staple than the eighth part of an inch. Aware that if the door should give way, the back wall of the house would be swept down by the rush of

the water inwards, and that they would be crushed to atoms, he rummaged the garret, and fortunately found a bit of board and a few nails, and, standing on the stair, he placed one end of it against the door, and the other on the hatch forming the entrance to the garret, and so nailed it firmly down. At last the roof of the second house began to crack over their heads, and Kerr forced a way for himself and his companions through the thatch, as has been already told.

'"We syne crawled out ower the tap o' the neist hoose," said Kerr, in telling his own story, "and, on our way, Jean's leg gaed throw an awfu' gap atween the lumm and the roof. I then thocht to try Meggy Ross's winda in the front, but Jean wudna' lat me, for fear I might fa' i' the water, an' syne she thought a' wad be lost. I then gaed to the back, and tried to get into Hugh's, but I wusna' fit to break the kebbers o't; an' it was as weel, for a pairt o'it soon fell. I then teuk for the grun', and drappit down on a wee bit spat, where I fand an auld cupple log, which Hugh had bought for fire. I heezed it up. There was a hunnin pin in't, and that was like a stap, and sae I gat them doon, praised be the Lord!" Here the poor man gave a heartfelt sigh of gratitude. "I then brak Hugh's back winda, and we gat in. Hugh's twa kists war soomin' through the room like ony thing. There was a cauf bed and some claes there, and that keepit hus some warm; and, as soon as it was some clear, Jean wadna' bide in, for fear o' the house fa'in'. Whan we saw the boat first, we thocht it was for hus; but what was our thocht when we saw it whurlin' awa doon the water again!"—"Did you pray at all?" demanded Mr. Suter. "Deed, Sir, I dinna ken fat we did, but fan we heard the hooses fa'in' aboot hus, and it sae dark, troth we could na think o' ony thing but death."'—pp. 120—125.

We have only room for one extract more; but amidst all the varied and powerful interest of this volume, which sometimes makes the task of selection a difficult one, it is to our mind by far the most striking. The scene is the village of Charlestown of Aberlour, on the banks of the Spey, and the tale deeply tragical.

'The flood, both in the Spey and its tributary burn, was terrible at the village of Charlestown of Aberlour. On the 3rd of August, Charles Cruickshanks, the innkeeper, had a party of friends in his house. There was no inebriety, but there was a fiddle; and what Scotsman is he who does not know, that the well-jerked strains of a lively strathspey have a potent spell in them that goes beyond even the witchery of the bowl? On one who daily inhales the breezes from the musical stream that gives name to the measure, the influence is powerful, and it was that day felt by Cruickshanks with a more than ordinary degree of excitement. He was joyous to a pitch that made his wife grave. I have already noticed the predestinarian principles prevalent in these parts. Mrs. Cruickshanks was deeply affected by her husband's unusual jollity. "Surely my goodman is daft the day,"

said she gravely, "I ne'er saw him dance at sic a rate. Lord grant that he binna *fey** !"

'When the river began to rise rapidly in the evening, Cruickshanks, who had a quantity of wood lying near the mouth of the burn, asked two of his neighbours, James Stewart and James Mackerran, to go and assist him in dragging it out of the water. They readily complied, and Cruickshanks, getting on the loose raft of wood, they followed him, and did what they could in pushing and hauling the pieces of timber ashore, till the stream increased so much, that, with one voice, they declared they would stay no longer, and, making a desperate effort, they plunged over head, and reached the land with the greatest difficulty. They then tried all their eloquence to persuade Cruickshanks to come away, but he was a bold and experienced floater, and laughed at their fears; nay, so utterly reckless was he, that, having now diminished the crazy ill-put-together raft he stood on, till it consisted of a few spars only, he employed himself in trying to catch at and save some hay-cocks belonging to the clergyman, which were floating past him. But, while his attention was so engaged, the flood was rapidly increasing, till, at last, even his dauntless heart became appalled at its magnitude and fury. "A horse! A horse!" he loudly and anxiously cried, "Run for one of the minister's horses, and ride in with a rope, else I must go with the stream." He was quickly obeyed, but ere a horse arrived, the flood had rendered it impossible to approach him.

'Seeing that he must abandon all hope of help in that way, Cruickshanks was now seen, as if summoning up all his resolution and presence of mind, to make the perilous attempt of dashing through the raging current, with his frail and imperfect raft. Grasping more firmly the iron-shod pole he held in his hand, called in floater's language a *sting*, he pushed resolutely into it; but he had hardly done so, when the violence of the water wrenched from his hold that which was all he had to depend on. A shriek burst from his friends, as they beheld the wretched raft dart off with him, down the stream, like an arrow freed from the bow-string. But the mind of Cruickshanks was no common one to quail before the first approach of danger. He poised himself, and stood balanced, with determination and self-command in his eye, and no sound of fear, or of complaint, was heard to come from him. At the point where the burn met the river, in the ordinary state of both, there grew some trees, now surrounded by deep and strong currents, and far from the land. The raft took a direction towards one of these, and seeing the wide and tumultuous waters of the Spey before him, in which there was no hope that his loosely connected logs could stick one moment together, he coolly prepared himself, and, collecting all his force into one well-timed and well-directed effort, he sprang, caught a tree, and clung among its boughs, whilst

* "'I think,' said the old gardener, to one of the maids, 'the gauger's *fie*;" by which word the common people express those violent spirits, which they think a presage of death."—*Guy Mannering.*

the frail raft hurried away from under his foot, was dashed into fragments, and scattered on the bosom of the waves. A shout of joy arose from his anxious friends, for they now deemed him safe; but *he* uttered no shout in return. Every nerve was strained to procure help. "A boat!" was the general cry, and some ran this way and some that, to endeavour to procure one. It was now between seven and eight o'clock in the evening. A boat was speedily obtained from Mr. Gordon of Aberlour, and, though no one there was very expert in its use, it was quickly manned by people, eager to save Cruickshanks from his perilous situation. The current was too terrible about the tree, to admit of their nearing it, so as to take him directly into the boat; but their object was to row through the smoother water, to such a distance, as might enable them to throw a rope to him, by which means they hoped to drag him to the boat. Frequently did they attempt this, and as frequently were they foiled, even by that which was considered as the gentler part of the stream, for it hurried them past the point whence they wished to make the cast of their rope, and compelled them to row up again by the side, to start on each fresh adventure. Often were they carried so much in the direction of the tree, as to be compelled to exert all their strength to pull themselves away from him they would have saved, that they might avoid the vortex that would have caught and swept them to destruction. And often was poor Cruickshanks tantalized with the approach of help, which came but to add to the other miseries of his situation, that of the bitterest disappointment. Yet he bore all calmly. In the transient glimpses they had of him, as they were driven past him, they saw no blenching on his dauntless countenance,—they heard no reproach, no complaint, no sound, but an occasional short exclamation of encouragement to persevere in their friendly endeavours. But the evening wore on, and still they were unsuccessful. It seemed to them that something more than mere natural causes was operating against them. "His hour is come!" said they, as they regarded one another with looks of awe; "our struggles are vain." The courage and the hope which had hitherto supported them began to fail, and the descending shades of night extinguished the last feeble sparks of both, and put an end to their endeavours.

'Fancy alone can picture the horrors that must have crept on the unfortunate man, as, amidst the impenetrable darkness which now prevailed, he became aware of the continued increase of the flood that roared around him, by its gradual advance towards his feet, whilst the rain and the tempest continued to beat more and more dreadfully upon him. That these were long ineffectual in shaking his collected mind, we know from the fact, afterwards ascertained, that he actually wound up his watch while in this dreadful situation. But, hearing no more the occasional passing exclamations of those who had been hitherto trying to succour him, he began to shout for help in a voice that became every moment more long-drawn and piteous, as, between the gusts of the tempest, and borne over the thunder of the waters, it fell from time to time on the ears of his clustered friends, and rent the

heart of his distracted wife. Ever and anon it came, and hoarser than before, and there was an occasional wildness in its note, and now and then a strange and clamorous repetition for a time, as if despair had inspired him with an unnatural energy. But the shouts became gradually shorter,—less audible, and less frequent,—till at last their eagerly listening ears could catch them no longer. "Is he gone?"—was the half-whispered question they put to one another, and the smothered responses that were muttered around, but too plainly told how much the fears of all were in unison.

'"What was that?" cried his wife in delirious scream,—"That was his whistle I heard!"—She said truly. A shrill whistle, such as that which is given with the fingers in the mouth, rose again over the loud din of the deluge, and the yelling of the storm. He was not yet gone. His voice was but cracked by his frequent exertions to make it heard, and he had now resorted to an easier mode of transmitting to his friends the certainty of his safety. For some time his unhappy wife drew hope from such considerations, but his whistles, as they came more loud and prolonged, pierced the ears of his foreboding friends, like the ill-omened cry of some warning spirit; and, it may be matter of question whether all believed that the sounds they heard were really mortal. Still they came louder and clearer for a brief space; but at last they were heard no more, save in his frantic wife's fancy, who continued to start as if she still heard them, and to wander about, and to listen, when all but herself were satisfied that she could never hear them again.

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'The body of poor Cruickshanks was found in the afternoon of next day, on the Haugh of Dandaleith, some four or five miles below. As it had ever been his uniform practice to wind his watch up at night, and as it was discovered to be nearly full wound when it was taken from his pocket, the fact of his having had self-possession enough to obey his usual custom, under circumstances so terrible, is as unquestionable as it is wonderful. It had stopt at a quarter of an hour past eleven o'clock, which would seem to fix that as the fatal moment when the tree was rent away, for when that happened, his struggles amidst the raging waves of the Spey must have been few and short. When the men, who had so unsuccessfully attempted to save him, were talking over the matter, and agreeing that no human help could have availed him, "I'm thinkin' I could ha' ta'en him oot," said a voice in the circle. All eyes were turned towards the speaker, and a general expression of contempt followed, for it was a boy of the name of John Rainey, a reputed idiot, from the foot of Belrinnes, who spoke. "You!" cried a dozen voices at once, "what would you have done, you wise man?"—"I wud ha'e tied an empty anker-cask to the end o' a lang lang tow, an' I wud ha'e floated it aff frae near aboot whar the raft was ta'en first awa', an' syne, ye see, as the stream teuk the raft till the tree, maybe she wud ha'e ta'en the cask there too,—an' if Charley Cruickshanks had ance gotten a haud o' the rope,"—He would have finished, but his auditors were gone. They had silently

away in different directions, one man alone having muttered, as he went, something about "wisdom coming out of the mouths of fools."—pp. 257–265.

These extracts will serve the double purpose of justifying the commendations which we have felt it our duty to bestow on the performance of the northern baronet, and also of stamping on the mind of the reader, a lively impression of the nature, extent, and incidents of the calamitous floods, which committed such havoc in the north-east of Scotland, little more than a year ago. Visitations like this are happily rare in our climate, and it may even be doubted whether there ever occurred in our island a hurricane so fierce and destructive, or which was attended with circumstances so extraordinary. With respect to the damage done to property, whether of a temporary or permanent nature, by sweeping away buildings, animals, and crops, or by the utter destruction of the body of the soil itself, it is difficult to form an accurate estimate; but taking loss of every kind into account, we should be inclined to rate it at little short of a quarter of a million. Fortunately, the waste of human life was far less than might have been expected, considering the suddenness of the calamity, and the terrible force with which the waters descended, particularly along the courses of the Findhorn and Spey; nor, through the provident care and enterprise of the people, was the destruction of domestic animals by any means so extensive or general as we might have anticipated. But still the misery occasioned by these floods has been very great, and hundreds of poor people, who formerly lived in tolerable ease and comfort, having been suddenly deprived of their all, are now in a state of want and beggary. We have only one other remark to make, which is, that the extraordinary results produced by these floods afford a remarkable illustration of the force of running water, and of the changes which it is capable of effecting; for not only did rivers, abandoning their old courses, scoop out for themselves new ones, and buildings of all sorts yield to the fury of the raging currents, but, in some instances, bridges were carried off *en masse*, and "actually hurried on for some distance down the streams before they went to pieces and sank;" in others they were burst to pieces by a force acting upwards, as if a mine had exploded under them, while detached rocks, of such magnitude that no human force could move them, were rolled onward, sometimes to the extent of several hundred yards, and smaller masses to the distance of miles. These, and many similar facts, are well deserving the attention of the geologist, to whom, indeed, the operations of the Morayshire floods have opened a new and interesting field of study, the cultivation of

which can scarcely fail to be productive of advantage, both in the way of correcting errors, and of making some important additions to the amount of ascertained truths.

ART. VII.—"*Euripidis Troades, accedit Seidleri, Matthiæ, et aliorum annotatio selecta. Cui et pauca quædam sua subjecit Editor.*" Londini. Apud B. Fellowes. 8vo. 1830.

IT is the usage in most of our schools to confine the attention of a student to a few of the best plays of Euripides; to read them all carefully would require more time than can be spared, and, we may add, more time than they deserve. The Troades is one of those which ought to be included in a school and college course, if the poetical merits of a dramatic piece have any influence in determining the tutor's choice. There are some passages in it, which, in our opinion, are not surpassed, in real beauty and energy, by any thing to be found in the extant Greek drama; for example, the latter part of the address of Cassandra, beginning at line 446. In the second line of this noble passage (στεῖχ' ὅπως τάχιστ' ἐς ᾅδου νυμφίῳ γημώμεθα), the Editor has retained the common punctuation, which is undoubtedly the right one: the words that follow στεῖχ' cannot be separated from one another.

The text which the Editor has adopted is that of Augustus Matthiæ: the few instances in which he has deviated from it are noticed at the foot of the page. These variations are neither numerous nor very important: they are, however, in general, improvements, and some of them had been previously sanctioned by Matthiæ and others.

For πρώραν in Matthiæ [l. 103] the Editor writes πρῴραν, according to the edict of Hermann: no reason is given for it; reasons against it might be found.

In line 700 the Editor has restored σώσῃ, for which Matthiæ had inconsiderately written σώσει in obedience to a canon of Dawes, to which homage is no longer paid. This is not the only example in which Matthiæ would change the subjunctive into the indicative, according to his notion of the usage of οὐ μή.—See his *Grammar*. Trans. vol. ii. pp. 762, 763.

L. 249, for μενεῖ in Matthiæ, we have μένει in the present edition, an obvious and a certain alteration, which Matthiæ, as quoted in the note, recommends.

Again, l. 468, we have τὰ μὴ φίλα, instead of τὰ μοὶ φίλα, which Matthiæ retained in his text, though he admits the true reading to be that which the present Editor has introduced.

In line 552, the Editor has followed Hermann and the Scholiast, in preferring παρ' ὕπνῳ to παρ' οἴνῳ: in this judgment we do not coincide; nor can the practice of quoting Milton and Virgil (which is apparently done to sanction indirectly the new reading) be reconciled with the rules of sound criticism.

In some of the instances in which the Editor has deviated from the reading of Matthiæ, it is to be regretted that he has not explained his reasons: for instance, l. 597, the Editor has preferred πόθοι to the πόνοι of Matthiæ's text, without stating any of the various readings, or any remark of Matthiæ on it.

It would certainly have added to the value of this edition in the eyes of scholars, if the Editor had noted the various readings in most of the more difficult passages.

The Editor appears also to have been rather too sparing of his own explanation: the notes selected are generally good, but there is hardly sufficient aid for a young student. When the commentators are at variance, or not sufficiently clear, a little additional observation is useful and necessary. L. 1138 the Editor writes ἀροῦμεν δόρυ instead of the αἴρομεν δόρυ of Matthiæ: that the new reading is admissible cannot be denied; perhaps it is the best; but we are at a loss to conjecture the MS. reading, except it be contained in the αἰροῦμεν of *Ald. Rell.*

The note of Matthiæ is not clear enough to a young scholar, to shew him the real meaning of ἀροῦμεν δόρυ, which certainly refers to setting sail. L. 98, Matthiæ doubts if ἄνα can be used as equivalent to ἄνεχε, which opinion Hermann, in the same note, maintains; and the Editor appears by his punctuation to adopt the notion of Hermann.

Now it is certainly fair and candid to give the opinions of different commentators, and to render to each the credit due to him. This, we believe, the Editor has done on all occasions, with great scrupulousness, and it is no small merit at the present day, when literary pilfering is so much in vogue. Two or three hard-working men will furnish raw materials enough for a hundred small-ware manufacturers.

In this passage we consider it quite inadmissible to suppose that κεφαλὴν depends on ἄνα: there should be no point after κεφαλὴν, this word being put in apposition, (according to grammatical language) with the word δέρην. It may be compared with this formula, πλήσσω σὲ τὸν πόδα. In cases of this kind, where critics differ, the Editor should endeavour to guide the opinion of the student.

L. 411. The Editor has adopted the Bloomfieldian canon about the orthography of adverbs like ἀμαχὶ, ἀμοχθὶ, &c.: as

far as MS. readings can be depended on, it seems quite impossible to come to so positive a conclusion as the Doctor lays down; and there is nothing in analogy which can decide the question.

In most of the commentaries which appear in this country, there is a want of notes explanatory of the meaning; parallel passages and Scholia in abundance are collected, but very little explanation is given in the form of direct translation of the more difficult passages. This kind of exposition, accompanied with frequent elucidation of syntactical usages, and of the etymological forms of the words, is that which for teachers and learners would prove the most useful. The subject matter too would often appear in a new and clearer light, if more use were made of our present topographical knowledge of Greece, for the illustration of local allusions.

The play under consideration furnishes instances of what might be done in this department, in such names as the Cyclopian walls of Argos, the fountain Pirene, and so forth.

The Editor has not neglected illustrations of this kind, nor the exposition of the more difficult passages, though neither of these divisions is made so complete as would be desired by most students. For a large class of Greek students, Scholia much corrupted, and notes in indifferent Latin, are but feeble aids: it may be said, that scholars are satisfied with this kind of illustration, and that Latin and Greek notes are intended for them. It may be so; but of this we may rest assured, that this is not the way to make scholars, or to contribute to the diffusion and right understanding of the Greek tongue.

The notes, as they stand at present, contain a selection of very useful remarks, but had they been expressed in plain and simple English, their value would have been more than doubled, because they would have been read and understood by a much larger number.

ART. VIII.—*Procès contre L. de Potter, F. Tielemans, A. Barthels, J. J. Coché-Mommens, E. Vanderstraeten, et J. B. de Nevé, accusés d'avoir excité directement à un complot ou attentat ayant pour but de changer ou de détruire le gouvernement; contenant la Correspondance saisie chez les accusés et leurs interrogatoires, donnant l'explication des dénominations insultantes par lesquelles sont désignés de hauts personnages, d'eminens fonctionnaires et autres, &c. ainsi que nombre de pieces diverses des plus interessantes: orné de deux lithographies, &c.* Bruxelles, chez Brest van Kempen, 3 Mai 1830. 2 vol. 8vo. pp. 208 and p. 348.

THE same sympathy has not been shewn for the efforts of the Belgians to better their political condition that was exhibited in behalf of the French. Certainly there is a difference in the two cases, but the difference is not so unfavourable to the Pays Bas as might be expected. The movement in France was a mighty and spontaneous expression of the national will, indignant at an open and impudent attempt upon its liberties. Belgium, on the other hand, feels its wrongs with as great unanimity, and has long and as loudly as it dared, uttered its complaints and vindicated its rights. In France an abominable ministry attempted to destroy the Charter: in Belgium an anti-popular one has long refused to fulfil the promises of the constitution. The Belgians have suffered numerous national outrages: with a population far greater than that of Holland, it has been attached to that kingdom, almost in the character of a conquered country: it has been deprived of the use of its language, it has been saddled with debt not its own, its places of authority have been filled by foreigners, the promises of constitutional privileges have been refused, its productions have been heavily and unequally taxed, while the commerce of Holland has been comparatively protected from impost. When patriotic writers have given voice to these grievances, they have been prosecuted under arbitrary laws, and fined, imprisoned, and banished, and the press itself placed under restrictions which deprive it of wholesome power, and, in fact, smother all free expression of opinion. These are evils acutely felt and universally understood: the unanimity of all ranks on the subject of their grievances is even more general than was that of France; nobles, citizens, Catholics, Protestants, are at this moment all of one accord: all demand a change, and none wish for more than a constitutional change. An expression of opinion has at length burst forth on the part of the lower classes, and, like all ignorant persons who feel themselves aggrieved, they have shewn it in acts of violence. This may be blamed, but it would be difficult to

say what other means they should have taken. These acts of violence have been quickly repressed, but it required the population of citizens to take arms in order to effect that object, as well as the dismissal of the soldiery, whose presence irritated the masses whom they had resisted. Wherever the armed citizens have assembled with the design of preserving order, and protecting lives and property from the fury of an enraged people, they have taken the fortunate opportunity which their formidable position presented, of displaying to the king, in the most forcible manner possible, the wrongs of the country; and requiring, as the sole method of preserving order, and the only condition on which they could ensure tranquillity, a full redress of grievances. Deputations have proceeded to the residence of the king with petitions and lists of grievances, and demands of melioration, which alone demonstrate how very far the Belgians have been from enjoying practical freedom. The ministers of the Crown are not responsible, and the judges of the court are removable at pleasure; the press is at the mercy of courts thus constituted, and the judges are universally considered as the mere tools of the ministry. Thus the three great securities of constitutional liberty are wanting in Belgium—the responsibility of ministers, the independence of judges, and the freedom of the press. When men are galled by numerous burthens, grievances, and petty oppressions, when they are pinched by want, harassed by imposts, the old vice of a Dutch government, and insulted in their national character, it is not unnatural that they should at least break out into a peremptory and unceremonious demand of their constitutional privileges. The *loi fondamentale*, or constitution, was never accepted by the Belgians: they refused it and it was imposed upon them: it is doubly hard, therefore, that its promises such as the three securities we have here mentioned, which, or at least two of them, are there directly stipulated for, have not been kept. We have said that the Belgians in point of fact refused the *loi fondamentale* which they are now at least content to live under with some ameliorations. The States-General of Holland accepted it unanimously: the Assembly of Notables in Belgium rejected it. The circumstances were these:

In the nine departments of Belgium 1603 notables were convoked: 280 never attended to the summons. Of the 1323 that appeared 796 voted in the negative and 527 in the affirmative. Of the 796 negative votes, 126 were given on grounds of a religious nature, the Catholics refusing to accept a Protestant king, and these votes were put aside as contrary to the dynasty and going beyond the question. This reduced the negative votes

to 670, and gave a majority of 143 voices for the rejection of the constitution. In this difficult position, the government resolved to consider the absent 280 notables as consenting by their silence. By this extraordinary measure a pretended majority of 11 voices was vamped up, and on the 24th August 1815 the adoption of the constitution or *loi fondamentale* was proclaimed.

We are certain that it only requires a knowledge of the real political condition of the Pays Bas to vindicate completely the steps the people have lately taken in their own behalf. Not that we advocate the burning of houses and the destruction of the property of obnoxious persons, but we would lay the blame on the true malefactor. If an ignorant people are oppressed and injured, and their interests and wishes neglected or despised, what is to be expected, but that they will pursue the measures open to them, and be it said, the only measures open to them, of procuring redress. The mob at Brussels have committed various violences; the population armed itself, the troops were driven out of the city, the streets were unpaved, and the accesses into the town barricaded, while deputations passed to and fro between the monarch and his capital: and insurrection demanded what was refused to petition. Are then the people so wrong in an extreme case, in taking the law into their own hands? what else was to be done, while gross injuries remained unredressed. The truth is, however, that a mere mob is never dangerous until the sense of the people happens to be with them: when all classes are pleased lookers-on upon the vengeance wreaked upon hated wrong-doers, what police, what hired soldiery, themselves of the people, what authorities, can then resist the fury of a multitude? Little is known in this country of the condition of the Pays Bas, and little notice has been taken of their political disputes, hence the indifference with which their proceedings have been viewed. Even in France, where the recent triumph of the popular cause might have disposed the French to look down with pleasure and sympathy on men pursuing a similar course, the movements in Belgium have not been viewed altogether without regret. It has been apprehended that the foreign powers might fear the spread of the contagion, seeing that the fever of liberty was infectious, and thus be induced to attempt the repression of the original source and supply of the evil. This is, however, a view of the subject unworthy of so great and powerful a nation of freemen, and will not be long, and is perhaps not at all, generally entertained. In England, where a love of liberty is mixed up with a respect for so many aristocratic privileges, and so many ancient abuses, and where the fear of change is a species of national ague, it is

probable the commotions of Belgium will be by some loudly abused, and by others faintly lauded, more especially as they who speak at all will probably speak in ignorance.

The passing events were shortly preceded and prepared by the trial and banishment of the two political writers, Messrs. de Potter and Tielemans. A very full account of this trial, and the whole of the correspondence seized among the papers of the accused, have been published, it is believed, under the authority of the government, though it has not the impudence to come forward and confess itself the authorizer of so disgraceful an act. We think that an account of this most extraordinary of all trials for high treason, will afford us the best and readiest mode of throwing some light upon the political state of Belgium, for the benefit of those lovers of freedom, in whom late circumstances have excited a curiosity respecting the actual condition of a country, closely allied to our own by historical events, by proximity, by similarity of language, and something of character; by mutual interests, and more than all, by a love of liberal institutions.

M. de Potter was in prison when he was charged with the design of conspiring against the state. He had been condemned to eighteen months' confinement, under an arbitrary law of the critical times of 1815, which, though capable of being converted against the press, had grown obsolete. It was repealed very soon after de Potter's condemnation, and both he and the country very naturally thought, that the man who had been condemned by a law confessed by the legislature to be unjust, should not continue to be punished under it after its abolition. He claimed his enlargement, but claimed it as a right: the king appears not to have been unfavourably disposed towards the prisoner, but he would only listen to the application as one of grace, and in one instance expressed himself kindly enough, only desiring that M. de Potter would not treat with him exactly as from sovereign to sovereign. De Potter, independent in his fortunes, surrounded by ardent admirers, and followed to prison by the respect and attachment of the whole country, remained in confinement, industrious and contented. To a man of his stamp, one whose sympathies are always with the oppressed, and whose mind is continually occupied with the interests of his country, or the pursuits of literature, confinement is no punishment. A student with his books, his papers, and his correspondence, and the visits of his friends, regards little the fact of the movements of his body being circumscribed within certain limits, provided the cause of his detention be both honorable and useful. In one of his letters from prison, M.

avers, in a moment of natural excitement, that he had never spent more happy month sthan in the gaol of Brussels, and that he was in love with punishment, and would gladly consent to be chosen the expiatory victim of the whole human race. While in confinement, a constant correspondence was maintained on political as well as private subjects between M. de Potter and his friend, M. Tielemans, who chiefly resided at the Hague, where he held a ministerial employment: they were both deeply interested in all the political questions of the day, and both contributed freely to the opposition newspapers.

Soon after, the violent proceedings of the government, in displacing several deputies who had voted against the ministry, some ideas were communicated, in a letter from Tielemans to de Potter, respecting the formation of a society, with the object of recompensing those individuals who had suffered loss by voting in the interest of the people, and also, with further views of protecting the popular deputies in giving conscientious votes, and of furthering the election of such individuals only as were approved by the society. This idea pleased de Potter, and upon it he immediately (January 30th, 1830) wrote an article for the newspapers, recommending the project as a project, and requesting, at the same time, the opinions of the public upon it. On the 8th of February he wrote another letter on the subject, signed with his name. *This is a conspiracy* in the Pays Bas. This is the offence described in the following round-about phrase, and for which de Potter, Tielemans, and the printer of the newspaper were banished the country. The crime in the formal act of accusation, is thus described, "accused of having, by printed writings, excited directly the citizens to join *in a plot or an attempt to change or destroy the government of the country*, and to have committed this act as authors, co-authors, or accomplices." The act of accusation, signed by the advocate-general, is the meanest attempt to construct treason out of innocent acts or free discussion, either on their part or that of others, we believe, to be recorded in the annals of justice or injustice. The proceedings it more nearly resembles, are the infamous trials under the reign of the Jeffreys' and Scroggs' of our Stuart Epoch. We will quote an example of accusation which, in fact, contains the gravamen of the charge: our readers will probably think with us, that the government which can put the life and liberty of a subject in jeopardy on charges so supported and explained, ought to be held up to the contempt and abhorrence of the universal world.

Extract from the Acte d'Accusation (or Indictment), signed de Stoop—

'In the month of November 1828, the accused de Potter, who, for some time past, had written in the journals of the self-styled opposition, published in the *Courrier des Pays Bas*, two articles, for which he was prosecuted: in these articles he called down the public hatred on those who were not of his party, together with all other consequences of unpopularity, *thus* provoking the renewal of those scenes of horror, in the revolutions of Brabant and Flanders, which have left such terrible recollections. De Potter was condemned by the court of assizes at Brussels to eighteen months imprisonment, and a thousand florins of fine, as convicted of, creating distrust, disunion, and quarrels, among the inhabitants.'

'This condemnation, *which was followed by culpable excesses on the part of the adherents of the accused de Potter*, did not tranquillize the party which appeared to have chosen him for its chief; *on the contrary*, it increased considerably, and began to show itself openly, giving itself a name and unfolding a banner which the accused Barthels, editor of the Catholique, caused to be lithographed and exposed to sale.

'The accused de Potter, from the heart of his prison inundated the public with pamphlets of a description to irritate the minds of men against the government; he assumed the name of Demophile (Friend of the People), and continued to write in the journals, the organs of his party.

'The accused Tielemans, before he was in office, was the editor of an opposition newspaper at Ghent. Since then, he has had a connexion with the Belge and the Courrier des Pays Bas. He was intimately connected with the accused de Potter, who had no difficulty in enlisting him in his party. An exceedingly active correspondence existed between them. According to this correspondence, the two accused were particularly intimate with several members of the opposition in the Chamber of Deputies [what a crime]! If we are to believe them they count upon these deputies as their most zealous and docile adherents.'

Thus Mr. de Potter is charged with having been before tried and condemned; with having partisans who made an outcry when he was sent to prison, and of writing pamphlets in prison. Mr. Tielemans is accused of having edited and written in opposition journals; of corresponding with Mr. de Potter, and when their correspondence is seized, it is discovered to their shame, that they have warm friends and supporters among the opposition members of parliament. Thus is the way paved for the crowning charge and proof of conspiracy, the article in the newspapers, signed with the name of de Potter. "If we are conspirators," says Mr. de Potter, "it is of the kind we see on the stage, who approach the footlights and bawl their treasonable designs to the pit." On the publication of this article, it was made a pretext for the unjustifiable measure of seizing the private papers of de Potter, Tielemans, and others. Their correspondence, notes, rough draughts of letters, articles, and

publications, were all seized and examined; and the use made of them very clearly proved, that by this inquisitorial proceeding, they had hoped to discover something or other which would enable an unscrupulous government to get rid of two able and courageous defenders of the rights of their country.

Of the views with which the correspondence was seized, and the use endeavoured to be made of it, we shall form a clearer idea by following the Advocate General in his address to the judges; it will be seen that the printed article is nearly lost sight of, and that the prisoners were put upon trial for their lives for passages found in private and confidential letters.

After drawing a brilliant picture of the prosperity and tranquillity of the Pays Bas, the advocate represents Mr. de Potter rising amidst the peaceful calm, in the character of an evil genius, bent upon disturbing its repose, and of sowing dissention and discontent among a people blessed in every form of happiness. He then goes into a sketch of the life and character of de Potter, who, during the iron reign of Napoleon, when an individual could do nothing, and the people were bound hand and foot, very wisely employed himself at Rome in writing the history of the church.

'There arose a man endowed with all the qualities which constitute the leader of a party; of an unquiet and turbulent spirit, of an enthusiastic temperament, kicking, as he himself says (in a confidential letter to an intimate friend), against all which is bond, obligation, duty (he himself makes the confession), having difficulty in repressing a feeling of joy at the contemplation of the disorder, which, according to him, reigns in this world; swollen with pride and ambition, devoured with the thirst for a European reputation, detesting kings and governments; an extravagant democrat, sighing after the primitive liberty of a state of nature.'

It is always of such qualities as these that men are formed when they stand up against the arbitrary aggressions of a corrupt government. It may be taken for the general term of a man in opposition.

'At the age when the generous passions manifest themselves most strongly in the human breast, the accused de Potter shewed a lukewarmness for the liberties of his country [so that he is not of the hot temperament described.] Whilst his countrymen were groaning under the tyranny of a military government, he was buried in the luxuries of a distant capital. His heart beat with a patriotic feeling only after his country had shaken off the foreign yoke and had become the freest of all the civilized countries of the world.

'What shall we say of his literary occupations at Rome? Did he not, when the sovereign pontiff had lost his throne, with painful in-
pe together every argument and evidence against the papal

authority? Did he not labour, without cessation, to sap the foundations of the religion of his country? It is notorious, gentlemen, it is needless to tell you what, and is so well known, thanks to the voluminous compilations which have so greatly scandalized those of his fellow citizens who remain sincerely attached to the worship of their fathers.'

It would seem that, according to the Belgian notion of things, "the luxuries of a distant capital" are, painfully examining the archives of the Vatican; writing the history of the church and of the councils; and that de Potter would have been better employed in inciting the Belgians to revolt against the power of Napoleon.

'On his return home, Louis de Potter, who, up to that time had never taken any part in public affairs, began to occupy himself with them. He fancied he perceived that a faction, composed partly of the clergy, and partly of the nobles, sought to exercise a fatal influence over the government; he published his life of "Scipio de Ricci," with the view (it is he himself who tells us so in his correspondence) of shewing up "this alliance between priests and nobles in favour of a system well adapted for the display of their hereditary nullities, like stars amidst a general obscurity," and also under the idea of dissipating "the fear which we have of Rome, which, while it threatens to make us a mission-country, really only means submission; that is to say, that it would force us to agree to a concordat, which would only turn to its own advantage." Speaking, on occasion of the same work, of the Revolution of 1789—"These self-styled Belgian patriots," said he, "so zealous formerly for the interests of the monks, which they called 'religion,' and of the feudal lords, whom they called the people."

'But was he sincere in these views? The publication of St. Napoleon in Paradise and in Exile, an obscene poem, solely directed against Catholicism, did not that savour of some ambitious view? [Such are the arguments against a man's life.] His assiduities about certain high functionaries, did they not give rise to certain suspicions that he was courting the favour of the new government. [This was said in a court of justice.] Did not the public voice second this report? As gentlemen [or, as we say, my lords], we affirm nothing; we shall cite only a letter of the accused, which appears to us to justify the opinion generally prevalent on this subject; it is addressed to Francis Tielemans, for whom de Potter was soliciting a professor's chair. "It is not at all certain that they will answer me, and then you must do as I do, have patience. You will take example by me and reflect, that assuredly I shall have done you no harm, and that we may at any moment reap that which I have sown."

The meaning of this truncated quotation is very plain, but were it taken as it is interpreted, where would be the harm? Mr. de Potter, a person of high birth and considerable fortune, of great erudition and commanding talents, wishes to be employed by the government at some post where he may be useful

to his country: this is not criminal any where but in Belgium. But we have Mr. de Potter's own testimony, in a very interesting passage of his letters, where he is confidentially addressing an intimate friend, which directly makes against his having entertained any idea of public employment. He thus speaks of a project, started in the *Courrier des Pays Bas*, of sending him to the States-general as a deputy.

'Personally I am not in the least flattered that this absurdity has been committed in my favour. Besides, if it had taken place, which happily it has not, I should have decided upon reaping no kind of advantage from it. I feel too great an anxiety to fulfil my duties to let any one impose upon me those which I am incapable of performing. My friend, the education that has been given to me is useless: I was taught Latin, Greek, and Roman history and Mythology. The education I gave myself, consisted of our studies in Greek, ecclesiastical history, and canon law, all which is useless with reference to what we are speaking of. Of political economy, law administration, finance, commerce, not a word do I know. I hope my dear Tielemans, that these six lines are enough for any reasonable man, under the circumstances, to save me from the reproach of indifference in all public affairs and the general good. It is not my fault if I am wholly unable to pay my entire debt to my country; it shall make part of the inheritance of Agathon [his son] who will pay it along with his own.'—Vol. i. Letter 30.

This passage is moreover curious, as it points out strikingly the inadequacy of modern education for modern purposes: the whole direction of it is wrong, or, at least, wide apart from the wants of a citizen of the present day. Few of us can hope to possess the acquirements of a de Potter; but it would not demand the study of a great many years to make a more useful member of the States-general, at least, in the conduct of the ordinary business of the session. On great questions of constitutional liberty we believe that he is much better qualified to give an opinion than the majority of the chamber.

The advocate goes on to avail himself of one of the most unjustifiable acts of calumny, at the same time one of those so easy of confutation that it is only used when nothing better is to be had. He endeavours to establish an intimacy or connexion between the author of a certain history of the conspiracy of Babœuf, and then attempts to father upon him the opinions and sentiments there laid down; and that not in one or two sentences, by way of allusion or passing rebuke, but elaborately, and to the extent of several printed pages.

After noticing, with what object we do not well perceive, the efforts of de Potter to procure for Tielemans a professorship of canon law; and also the subject of de Potter's cry against corruption, for which he was fined and imprisoned as has

been stated, the advocate proceeds to mention the pretended grievances of the democratic or radical party, as he calls it. "One of the favourite ideas of these people," says he, "is the unlimited liberty of teaching, now in the hands of the government. This is one of the most odious and injurious assumptions of prerogative." "The school-master" so far from "being abroad", is chained hand and foot and gagged. That de Potter and Tielemans warmly attacked this abuse is, however, made one of the grounds on which these enlightened men are brought to trial. Listen to the king's advocate.

'The demand of "unlicensed education" is an extravagant pretension, which as is well known cannot be entertained by the government without sapping one of the bases of our social institutions, and without aiming at the destruction of the royal prerogative as guaranteed by the Fundamental Law. We shall see that it was one of the maxims of these individuals to demand that of the government which they could not grant without ruin; and then to make the refusal itself a new element of discord.'

In answer to how many equally wise and beneficent proposals of melioration has not similar language been held. When we see it on occasion of so plain a proposition as that education should be free and unshackled, and no longer an affair of the ministry, we shall readily be able to estimate its value in matters not quite so familiar to our apprehensions as the necessity of freedom of instruction.

A point on which the advocate dwells is the union which this doctrine of free teaching brought about between the Roman Catholics and the Liberals: so unnatural a combination the government thought could only be for evil. We have seen a similar union in Great Britain; where a general right is the object to be obtained, very different classes may combine to secure it. At the settlement of the new monarchy of the Netherlands, it was thought dangerous by the North which is Protestant, that education should be left in the hands of the clergy: who are in the South, nearly three parts of the kingdom, Catholic: to avoid which risk instead of leaving tuition, like other trades and professions, to those who understood it, the government took the entire regulation of it to themselves. Impediments were thrown in the way of teachers of the Catholic priests, impediments were thrown generally in the way of tuition: is it therefore to be wondered at if they who required the freedom of instruction for themselves, and those who required it for all, should combine for that object. Yet this is held to be a plot by the Dutch government and the advocate uses it as an argument to convince the judges that de Potter was a traitor to the government. After

the attack upon the accused as Unionists, the advocate proceeds to convict them of plotting to secure a majority in the second Chamber of the States: for with this view, he quotes an infinity of passages from the correspondence shewing, simply, that the accused were anxious that their friends who were deputies should vote in the right direction.

'It results very clearly" says the advocate-general, "from these letters that de Potter and Tielemans used every effort in their power to win a majority in the second chamber of the states. What majority? A majority which would paralize the proceedings of government; a majority which would dictate the conditions of peace, as Tielemans himself has openly said: in one word, a majority which would reduce the royal prerogative to a shadow of royalty, utterly destroy the equilibrium of the powers established by the fundamental law, and then overturn the monarchy of the Pays Bas as established by treaty.'

Were this charge of the advocate-general of such importance, or the affair itself sufficiently interesting to the world in general (and it really is interesting, for it has turned the movements of the population of a very considerable empire) we might take it passage by passage, and classify it under the heads of Mr. Bentham's Book of Fallacies.

In the next instance, the correspondence is turned to account; first to prove that Tielemans and de Potter were the real directors and guides of the newspapers, and that frequently the letters of Tielemans to de Potter were frequently published, entire or in part, in the Belge: and what if they were? we should ask in England. How does this prove a complot to destroy the government. The advocate then enters into a legal argument to shew the illegality of the association proposed by de Potter. The illegality is denied in various consultations of the lawyers of different parts of the Pays Bas, but supposing it were illegal, as our Irish association might be illegal, the project might have been stopped in the act of projection: the enunciation of the project could not be treasonable, whatever the society itself might have been. Upon this project, however, which was the mere pretext of the trial, the advocate insists little: it is with extracts from the correspondence that he loves to deal; first, because the open publication of well-culled passages from the secret and confidential letters between two heads of a party, expressing their ideas on passing events, on the characters they had to deal with, and the measures they had to take, was likely to throw dismay and dissension among the party opposed to government. It is very possible, had not the causes of dissatisfaction been too deep-rooted to be so shaken, and had the agents of government been more able in their use of the various

materials of ridicule in the letters, that such an effect might have been produced. The fellow-labourers of de Potter and Tielemans are, as was natural, very truly discussed; and moreover, as one of the parties employed confidentially by the government was afraid of being committed, various terms of disguise, nick names and absurd designations are used both in the mention of friends and enemies. Doubtless, the disclosure of these playful or fitful phrases did create a considerable sensation among the persons designated, as had been foreseen by the government, but this temporary feeling subsided quickly before higher ones excited by the flagrant injustice done to men whom they looked up to for ability and learning, and more especially the far higher emotions created by witnessing the calamities afflicting their native country.

The advocate-general, relying chiefly upon these letters, concludes his address by a sort of *florilegium* from the correspondence. He has had the good taste to select the passages which he considered the best adapted to prove the crimes of sedition, privy conspiracy, and rebellion; or, as he says, "thus threw a horrible light on the two accused;" but which, in our opinion, and we are sure in the opinion of Englishmen generally, who write such letters every day when agitated by any political affair of importance, are simply striking by their vigour and truth. Subsequent events have shewn who was in the right: a government who, under the idea of preserving order and protecting their own interests, have ended by very nearly bringing about their own destruction. We shall extract some of these passages: it will be remembered they are quoted to prove the Charge of a conspiracy against the Government. The comments upon them will at least amuse.

'The law of the five hundred florins is revived, de Potter writes to Tielemans: on the demand of M. d'Agault, the bookseller, Grignon has just been called before the Procureur du Roi, for having published the songs of M. Roussel, I believe, or Rougel; amongst which, the song entitled the Sceptre and the Sword offends the majesty of Charles X. Grignon promised me the song, which I will send you. Are there kicks enough at the toe of an honest man's boot for the posteriors of these animals?'—29 Aug. 1826, No. 13.

Here's respect for kings and royalty! cries the advocate—as if either kings or royalty were respectable in themselves, or worth any more than the good they brought: how much good Charles X. purveyed for his kingdom has been seen.

'It is truly provoking, says de Potter, that a philosophical frock-coat which covers even royal shoulders, should hinder people from amusing themselves with their little entertainments.'

These little entertainments, of which the writer thus jocosely treats, are but expressions of opinion. That the modern frock does not altogether hang in the way of a decent handling of the musket, the bourgeoisie of Brussels have proved. They have found leisure for one of the entertainments alluded to; and who can blame them: are not the lightest suggestions of those men now listened to with attention, whose humble petitions have long failed to gain even a hearing?

'My dear friend, say to M. V. B. and make him read it on this paper, that there is more confidence to be placed in my honour, than in that of all the kings together, joined to all their knaves —— I see, in them, the born enemies of all human dignity, of all which offers the slightest opposition or resistance to their will, however just it may be, or of whatever quality; in short, they detest all show of a manly character, whilst their favours, their prodigalities, and that which they call their honours, are heaped upon the vilest slaves who prostitute themselves to their caprices.—Let us not stir up the hideous dunghill of the court, the pestiferous effluvia from which taint all who approach it.'—19 Oct. 1829, No. 45.

This, it must be remembered, is privately written to an intimate friend; and if it is not of a nature to see the light, the blame is in them who drew it from its secrecy. It is an angry sentence: but they who know the corrupting nature of irresponsible power, know how far it is from the truth.

'You know, says de Potter to Tielemans, that I have to do with the most stupid, the most obstinate of tutors (kings) 22nd Oct. 1829. He is alluding to the king of the Netherlands.

'I have told you, I repeat it, I do not fear my guardian (the king) I shall be delighted to vex him, embarrass him. Since it is he who has put me in the state I am, it is right he should bear the pain. I shall be let off after all, by my accouchement in July (he speaks figuratively of his delivery from prison), but the child I shall produce, will make him see all colours.'—10th Nov. 1829, No. 54.

This is, perhaps, somewhat spiteful, but it must be remembered, that these passages are culled out of volumes of letters, written by a man who conceived himself greatly injured. The character which the king of the Netherlands bears in his own country, is that of a well-disposed, respectable man, but who in other respects, perhaps, deserves the epithets de Potter bestows upon him.

The next extract is a considerable portion of a letter from Tielemans to de Potter, dated 1st Jan. 1830, No. 26. It is interesting at this moment, now that we understand pretty well the course events will take, as the speculations of an able individual a few months back. There is no prophesying in-

politics. The subject chiefly turns upon a question of great moment to the Belgians: whether, in case of the people expressing openly and loudly their wishes, the government would call in the aid of foreign powers.

'Dare they call in the foreigner? Yes, they dare; and, I believe, moreover that the Prussians on account of their Rhine provinces; England on account of Ireland; Russia, because of its political troubles; Austria, on account of its Italian provinces; and France, from fear of its liberal party, would consent to agree with our king in occupying Belgium, for a certain space of time, by Prussian troops. Observe, my friend, the motive of the intervention. A small state, the happiest in Europe, rebels against its prince, turns upon him the very liberties it was enjoying, and proves that the people only want liberty to abuse it. This is the reasoning of Charles X. when he replaced the Martignac administration by that of Polignac. England maintains similar ideas, because of the troubles in Ireland, which continue in spite of the emancipation of the Catholics. Prussia and Austria, which have as yet done nothing for the liberties of the people, take the same view of the future. The intervention cannot, therefore, disturb the general peace, and it will serve as a warning to all discontented countries. But it may be asked, will the French people suffer it? Do not deceive yourself: if the French government wills it, and engages itself not to yield a step, as its interest would command it; in one word if the four, or perhaps, the five great powers decide, in common accord, that Belgium shall be occupied by Prussian troops, the French people will not stir. It is impossible for a people to march unless the government pleases. France could only do it after overturning its government. Now, that is not done, or so near being done as is thought. The occupation of Belgium may precede the dethronement of the Bourbons, and if it precedes it, it is favourable to them, since they in their turn may have to apply for foreign intervention, and call the Prussians to their frontier.'

It is curious to observe the familiarity with which the dethronement of the Bourbons was talked about on their borders six months ago. It is upon their continuance in France that the whole of M. Tielemans letter turns, and their exodus has utterly changed the aspect of affairs. The French now would not permit the Prussians to enter, and the king of the Netherlands is compelled to settle his own affairs. It is melancholy to find England, along with Austria and Prussia, held up as the enemy of public liberty: but who can say that it is without good cause? They who speculate on the causes of events, have said, that the existing insurrection of Belgium has arisen out of an imitation of France: some have called it a moral contagion. The fact is, that had not the power of the Bourbons destroyed all hope of assistance thence—had not, previous to their departure, the certainty of foreign intervention existed in the minds of the people

of Belgium—this rising for a redress of grievances would have taken place long ago.

It is very needless for us to declare how the advocates of the accused demonstrated the utter absence of all crime or illegality in the proceedings, or how nobly they defended the high character of M. de Potter from the charges and insinuations of his adversaries. Suffice it to say, that M. Gendebien shewed, that no proof had been given of an attempt to excite persons to change or destroy the government, and that the articles incriminated were strictly confined within the limits of legality. M. Van der Weyer most triumphantly attacked the inferences drawn by the advocate-general from the fragments of correspondence he had quoted, and by other longer and more luminous quotations, amply proved that the opposition of M. de Potter was of the most constitutional, though of the most energetic character. The impression made upon our minds, and we approached the consideration of the trial with perfect impartiality, (for had it been proved that M. de Potter had really wished to change the government, and had really attempted to persuade his countrymen of the plan, we should not have thought the worse of him) is that, believing that a limited monarchy under the house of Nassau, and according to the charter given by it, was the most advantageous government for the country, or at least the best thing to be had, he had set himself seriously to work, in order to induce the government, directly or through the people, to fulfil the promises of the charter, and redress the grievances of his countrymen.

In a piece M. de Potter himself wrote a year ago, which his advocate quoted on his trial, he has so well expressed his own views, and that of the Belgians in general, that we cannot do better than quote it. It contains an enumeration of the griefs of which the Belgians have long and loudly complained, and which they have now presented to the king in a manner likely to be listened to ; viz. under arms. It is almost the only way the people ever get anything : *aide toi, le ciel t'aidera.* When they come as petitioners they are called *gueux,* as in the time of Marguerite of Parma; or their conduct is said to be *infame,* as it was called by the present king of the Netherlands. Now they are *bons bourgeois,* the guardians of public tranquillity, and so on, and all their wrongs are to be redressed.

'We are Belgians, and Belgians we wish to remain, constituted in an independent nation as we are at present, *i. e.* to say Hollander, Flemish, and Walloons, North and South, with liberty, civil and religious, for all, equality of rights for all, under a government constitutional, representative, such as is established by our charter.

'We desire, in truth, that the government were more impartial and more just than it is at present, towards those whose interests it administers; that it treated Catholics as Protestants, and all its subjects like freemen who deserve to be free, and who are entitled to say to the heads of the government,—"Listen to our complaints; redress our griefs; be men, not of a party, of a sect, of a few provinces, of certain interests of a coterie, but of the interests of all: the men, in a word, of the nation and the law." We wish all this, but it is as much for the safety of the government as the prosperity of the people. * * We protest loudly and strongly against the idea, so false and absurd, which has been lately spread by a pamphlet which has excited a sensation; to wit, that the Belgians desire to be placed under the power of the French. Facts only can answer such charges: each of us will make it his business to refute it when the case requires it.

'We shall remain as we are, considering France always as the focus of intelligence, and the fruitful mother of ideas, lofty, noble and generous, as a true school of mutual instruction; for all that constitutes the liberty and dignity of mankind, it shall be our glory to be friendly to it, to be allied with it, and to march always at its side in the path of duty and honour. But we repel with energy the idea of its ruling over us.

'We wish not to diminish the power of the government, to encumber its progress, to paralyze its force, to compromise its independence. We wish simply, that it should remain faithful to the laws it has sworn to maintain; that it should renounce its system of legislating by proclamations, by circular instructions which, under the forms of legality, conceal an arbitrary power: that it do not quibble us out of the right to use the language of our choice, and of our civilization: that it acknowledge frankly, the right we undoubtedly possess, of inculcating the principles by which this social existence should be guided; that itself make the agents of its authority responsible for their acts; that it restore to liberty the writers it has thrown into prison, simply because ten months ago they uttered a cry of alarm, which all the world is now repeating after them, and to which the government, if it would avoid a crisis, would do well to lend an attentive ear; that lastly, it be more economical in its expenses, and less destructive of our fortunes.'—*Sep. 25th,* 1829.

In spite of the logic of the advocates, and the innocence of the accused, four of them were condemned. De Potter to eight years of banishment, Tielemans and Barthels to six years of banishment, and J. B. de Nevé to five: and each respectively on their return, to the same number of years of surveillance by the police.

In fact, the government were determined to convict, and the principal judge observed accidentally, that they should be obliged to be severe. The system under which they were banished has been continued; a sort of crusade has been carried on against the press, and a spirit of absolutism shown itself in all the proceedings of administration; and had not the new revolution taken

place in France. It is impossible to say how far the people, in their commission of foreign intervention, might not have patiently suffered. It was in fact, perhaps not ill-timed, that something like an understanding existed among the ministries of the different powers in the subject of the repression of the journals. It is pretty certain that the diplomatists of the different courts of Europe were expecting events very much of the character of those which have happened, but to which they gave very different names from those which success would confer upon them. The following extract is generally attributed to M. Van Maanen, now deceased, but who has been to long the scout of the Dutch government, and most certainly the *ex-officio* of the Flemish persons: it occurs in a Journal understood to be the organ of his ideas.

'*May* 1831. An extraordinary tempest is ready to burst over our heads. This kingdom, whose dangerous situation want of sense prevents us from shewing at large; this kingdom, divided in opinions and interests, and become the theatre of a party, whose influence, although it counts deserters from its side, or whether, while waiting a more favourable opportunity, it may appear asleep, still is increasing daily by the very nature of the thing: in France the revolution is rekindling; in England the whole political edifice is tottering: the democracy, or rather masses of individuals, are in a state of insurrection, and placed in opposition to an insulated throne; the bonds of faith, of obedience, and of custom, are loosened, avarice and ambition are become the common springs of action: such, without exaggeration, are some of the traits of the picture which Europe at this moment presents to any one who will open his eyes.'—*Nederlandsche Gedachten.*

The same article further propounds that—

'The government of the Pays Bas was, and is a monarchy. The sovereign power in the realm belongs to the prince. The king is not the chief of the executive power: he reigns as a sovereign prince, conformably to the laws of the realm. If he has willed the States-general, it was, that the difference of opinions should have a salutary influence. What is the king? He is what the ancient counts were in Holland; he is in Belgium what the emperor of Austria and the king of Spain were—what the Stadtholders would have been but for ingratitude and ambition.'

We may add: Nous avons changé tout cela.

The case of Belgian grievances is as clear as the sun in an unclouded day; and the sympathies of the English people will be on the side of the oppressed. We cannot distinctly see a straight-forward course for freedom and good government in the present involved state of the Belgian question. Every act of the king of the Netherlands fills us with disquiet and distrust. He never did justice to the Belgian people when they were at his

feet, in prostrate submission; he never held the scale of equal law between his northern and his southern subjects, when Belgium brought to him her cheerful willing homage; and is it likely now, exasperated as he is against what, in his message to the States-general, he has been advised to call "rebellion;" now, surrounded by Dutch councils, which foster and fan every Batavian prejudice, both political and religious, against the malcontents of the south—is it likely now, that he should play the part of a patriot king. The States-general, in which the Belgians are so unfairly represented, assembled in the Dutch capital, surrounded by Dutch troops, and immediately under the eye of the king and of the court, will do no justice to the aggrieved parties. Thus much we may safely foretel. The probability is, that the wound will be plastered over; but it can only be healed by the separation of Belgium from Holland; a separation, at all events, on all matters of administration and finance. This separation may for the moment be opposed, it may be delayed, but it is inevitable; and if it come not in the quietude of calm discussion, it will come in the thunder-storm of another revolution. Holland would do well to take to herself the grace and the glory of recognizing, of meeting the Belgian will. If she do not, she is only industriously sowing what will bring her a harvest of sorrows. If now, "while it is called to-day," the claims, the most reasonable claims of the men of Belgium are recognized, the world will be well satisfied to see the Belgian and Batavian sceptres wielded by the House of Orange; but if wrongs are to be unredressed, if the fetters of slavery are to be rivetted upon the necks of millions, whether by the force of arms or the fraud of kings, our hopes and our efforts for Belgium will take another direction; and those flagitious contracts—of which the Union of Belgium with Holland was one, those flagitious contracts, which transferred nations from monarch to monarch, with less ceremony than if they had been stocks or stones, must undergo a more searching, a more vigorous interrogatory.

Art. IX.—*Travels to the Seat of War in the East, through Russia and the Crimea, in 1829; with Sketches of the Imperial Fleet and Army, Personal Adventures, and Characteristic Anecdotes.* By Captain James Edward Alexander, (late) 16th Lancers, K.L.S. M.R.O. Cor. Mem. S. A. E. and M. G. S. Author of Travels in Ava, Persia, and Turkey. London. 1830. Colburn and Bently. 2 vols. 8vo.

WE do not pretend to know what all these letters mean, with which Captain Alexander has graced his name since he favoured us with his portrait, prefixed to his volume on Ava; but, being interpreted, no doubt, they would turn out very much to his credit. There is every evidence to prove him a most deserving young officer, an enthusiast in his profession, and one likely, in time to come, to distinguish himself by wielding other instruments than pen and pencil. His zeal to improve himself in his profession, led him to encounter the difficulties presented in the way of a traveller through Russia to the Seat of War; and to brave all the dangers from plague, pestilence, and famine, when arrived there: we say nothing of sudden death, for a soldier makes up his account for that when it arrives; but that the hardships and annoyances of such warfare as that here described should be voluntarily undergone for the sake of improvement, strikes us at least as a mark of great zeal on his part, and a claim upon the attention of his superiors.

Besides giving us rare and curious notices of the military condition of Russia, the author mixed much with the society of the country, and spoke some Russian: his notices of the manners and morals of the people are, on the whole, favourable; and are, at least, invariably written in good humour: for he seems not to have permitted either cold, heat, or hunger, to affect his temper, and to have adopted the Russian officer's maxim, *Nichavo, ya soldat;* "its nothing, I am a soldier." Good-humour combined with curiosity make a good traveller, and it seems that our author adopted another Russian rule, "go every where till you are stopped." He was rewarded, for he saw a great deal, and as a pair of epaulets are a universal passport in Russia, he was seldom "stopped:" indeed if we may judge from some of his anecdotes, like "Goosy Goosy Gander, he went up stairs, and down stairs, and into my Lady's Chamber;" and on one occasion, he was actually taken "by the left leg and thrown down stairs," by an infuriated husband six feet high and upwards. He tells the story of a friend indeed, but we are *not* to be deceived by his inverted commas; the warmth of the

narrator, and the quotations from Moore and Byron, to whom he is so partial, tell a different tale. Besides, do we not remember the comely youth of the frontispiece to the Travels in Ava; and does not every page speak of the beauty of his lancer's irresistible uniform: it or he won even the heart of a postmaster's wife in the Ukraine. "His wife came up to me, and slily put her hand in mine, and asked me to take a glass of votki in her room, to keep out the cold. I merely tasted it, to please her." Modest lancer of the 16th!

We must do captain Alexander the justice to say, that it is not his own uniform alone about which he is particular, for he has described and criticised with infinite penetration the military dress of every officer and soldier he met with, and with so much minuteness and zeal, that if his title did not stare us in the face, we should naturally take him for a tailor, instead of a soldier, travelling for improvement. We read in some tale, lately, of a Serjeant Honderthonk, who fell in love with a dress-maker at Birmingham, for her attachment to the army: she knew the facings of every regiment that had been quartered in that town for fifteen years. If the Emperor of Russia confers the orders of St. Vladimir on Captain James Edward Alexander, or Yacob Demitrievitch as he was called in Russia, as we expect, it will be chiefly on the score of the attention paid to the Russian facings. He is as particular as a passport, and never omits even a red stitch in a pair of pantaloons: he is singularly great in boots, and swells to magnificence in the description of bullion epaulets, and bear-skin caps. We will quote by way of example his audience of the Emperor: who does not see in a moment that the writer, James, the son of Edward, considers the whole scene as a great clothes shop. We have no doubt of the gentility of captain Alexander's lineage, but we should not have been very much surprised at the Russians, seeing his eye constant to the slops, giving him the title of James, the son of Edward, the tailor.

'To one of the immense exercise houses, his Imperial Majesty repairs daily in winter, with the grand Duke Michael, to inspect a regiment or an equipage of the fleet. Accordingly, I repaired, in uniform, to the Michaeloffsky exercise house, and found a battalion, a thousand strong, of that splendid regiment, the Seménoffsky, drawn up in three ranks, on one side of the saloon. At one end was a party of the chevalier Gardes in their white jackets and helmets: the other was occupied by a model equipage of the fleet; and the fourth side of the parallelogram was unoccupied.

After having been taken round by a general officer to inspect the troops, who were in the most perfect order, one of the folding doors was thrown open, and the Emperor with his illustrious brother, and a

galaxy of generals, brilliant with plumes, embroidery, and decorations, galloped into the arena. His Imperial Majesty was received with three roulades of trumpets, and the presenting of arms, while he saluted. I was much struck with the noble appearance of Nicholas. In height, he seemed to be upwards of six feet, and of athletic make, his features Roman, and his nose aquiline. He sat on his horse well, and wore a cocked hat, with a white and yellow feather, a plain green coat, with a pair of gold epaulets and green trousers, fitting tight to the shape, with an edging of red down the outer seams. His sword was an infantry one. The Grand Duke is of the same powerful make as the Emperor, and was similarly dressed. His features are Russian, and he much resembles the late Emperor Alexander.'

After the troops had been reviewed, and captain Alexander presented, the Emperor "wrapped himself in a quilted cloak, seated himself in a handsome single-horse sledge, with a richly-dressed Ivostchich, and glided off at a gallop towards the Winter palace."

But to turn to more important matters, in which the book is far from deficient. War, the royal game of war, is the sport of the Russian autocrat. A vast camp supplied by slaves or serfs, seems to be the correct description of the Russian empire. The author reckons the army of Russia, enumerating its different bodies, and including the irregulars, at a million of men. The troops are perfect at drill, neatly trimmed, and well clothed, but fed upon black bread and salt. Obedient and docile, they follow wherever and against whatever they are led, but they appear to want all the vigour and spring of better fed persons; they look up to the colonel as their father and he generally considers his regiment as his children; they listen to him with reverence, and hang about to hear the words that drop from his lips.

But with all the cares and attention bestowed upon the Russian troops, they seem to make but inefficient armies; in the late war with Turkey they succeeded, but chiefly because they were opposed only in two places with any vigour, at Shoumla and Varna, Before the latter place, we learn upon the authority of captain Alexander, that the Russians lost seventy thousand men; disease, of course, was a great consumer of this tremendous mass of physical existence. The two campaigns, cost the Russians altogether upwards of two hundred thousand men! And in this second one, it seems pretty clear they would not have managed any better than in the first, without the succour and diversion supplied by admiral Greig's fleet in the Black Sea, giving due credit to the masterly arrangements of Diebitch the Balkan-passer, whom the Russians call their *petit Napoleon.* But what can be expected from men who eat

only black bread? "From the indifferent food on which they are accustomed to subsist," says captain Alexander, "they are much inferior in physical strength to our men; and as to reckless gallantry, either displayed in storming a breach bristled with every engine of destruction, or cutting out from under an enemy's battery, our soldiers and sailors will ever bear the palm from all competitors,"—Russians at least. When the author was confined in quarantine at Odessa, he had an opportunity of seeing some British sailors during some very severe weather, and the contrast of the English and Russian sailors was very remarkable. "Whilst the latter stood shivering in a corner in their great coats, the blue-jackets formed two sides, pelted one another at a famous rate with snow-balls, and practised all manner of practical jokes on one another when they landed for their provisions." The children of the sea thus discoursed—"I'm blest if this i'nt thundering cold," said a stout fore-top-man to his mess-mate. "D—n it, it would not be Russia without snow," said the other. "Suppose they let us freshen hawse with a gallon of rum?"—"Where are we to get it? Pigtail-juice is the only liquor we'll have till we go aboard—but keep a look-out for the bears—I say, won't we have a crack at them? D—n me but I'll have a fist in the fun! Curse the frost! Beat to quarters and let's have another shy at the snow-balls—Fire away, my men!" Sweet as when the Nereid winds her sounding shell, is this prattle of the boy-dolphins. The Slavonian race listen and obey: such is their habit.

After sailing about a good deal with admiral Greig, and witnessing a considerable number of successful descents on the shore, the author procures means of being forwarded to Head-quarters; where, after incurring some awkward suspicions, he is at length introduced to the field-marshal Diebitch.

'After making myself as gay as the uniform of the 16th would enable me, I proceeded to the residence of Diebitch, who occupied a suite of rooms in the same house to which I had been conducted in the morning. On mounting the stair-case I was shewn into a large hall, open on one side; in this about a dozen officers were promenading, dressed in their green surtouts and wearing their swords. Several came up and spoke to me, and examined my regimentals with great minuteness. In a few minutes a side door opened, and a personage advanced towards us, on seeing whom, all the officers fell back to attention, and saluted him with repeated bows. The object of their respect was a little man with an aquiline nose and florid complexion; his hair was dishevelled and streamed from his head like a meteor. He also was dressed in a green double-breasted surtout and trousers, and wore round his neck the cross of St. Andrew, and at his button-hole the black and yellow ribband

of St. George. Advancing towards me, bowing, he said he was happy to see me in a camp. This was Diebitch Zabalkansky.

'We then adjourned to the dining-hall: it was a comfortable room, with a divan round three sides, the walls painted with flowers, and the roof of trellice work; in the centre, a fountain poured out a gurgling rill into a marble basin. The field-marshal seated himself at the head of a long table, and his guests took their places on chairs of every shape. Two general officers were on Diebitch's right and left, and I was placed next to my examiner, Danileffsky. The Russian dishes, which were handed round, were dressed with an over-abundance of rich sauce. Not a word was spoken for some time. At last, the field-marshal, after satisfying his appetite, addressed himself to those on either hand.

'The count talked a good deal about the Turkish artillery, and their superiority of practice by land over that by sea. He then turned to me, and asked regarding the Burman and Persian warfare; then touching the pay of officers in India, the amount of which was hardly credited; for a Russian colonel, in command of a regiment, receives about 150*l.* per annum, whereas many subalterns on the staff in the East receive between 600*l.* and 800*l.* The count then said, that though the Russian military system was considered the most perfect in the world, yet that in one point the English was preferable; viz., in a senior department at the Military College, of which officers could become students, &c. &c. &c.

'At this entertainment, as at similar ones at which I had been present in Russia, there was hardly a word spoken except by the chief. No man held social communing with his neighbours, but every eye was turned to the count; his remarks were listened to with the greatest attention, and his jokes laughed at, as if by fugle. I made several attempts to draw my neighbours into conversation, but it was unavailing; for it was contrary to etiquette to take off attention from the field-marshal; so, like the rest, I listened to him, *arrectis auribus.*'—Vol. ii. p. 122.

This is not a pleasing picture of Russian military manners, and, by the side of French and English frankness, becomes absolutely odious; it even seems foreign to the character of a soldier, but we presume it is part and parcel of the autocracy.

With all the tremendous preparations of Russia, and the great number of its troops that we hear of at the period of which our author speaks, when they were proceeding against Adrianople (in the beginning of October), there were only eight thousand effective men at head-quarters; for, of the thirty thousand that had crossed the Balkan, at least nine thousand were sick and dying with plague and fever; and thirteen thousand men kept up the communication between the coast, the Balkan, and head-quarters.

Captain Alexander's style is a very careless one, and when he writes his despatches, should that day arrive, we counsel him to

be more careful of his pronoun relatives, and other grammatical proprieties. He makes some apology for negligence, but even a careful perusal of his MSS. must have led him to the correction of a great number of inaccuracies of language.

ART. X.—*Chronicles of London Bridge.* By an Antiquary. Smith, Elder, and Co. 1827.

Reports from the Select Committee of the House of Commons on the State of London Bridge, and Minutes of Evidence taken before the Committee. 1820, 1821.

Minutes of Evidence taken before the Lords Committees, on the Approaches to London Bridge: and Appendix to the Minutes. 1829.

HERE will have been, by the time this job is done with, an expenditure of some THREE MILLIONS of public money. Let us see for what good end.

A bridge, like every other work of art, is either useful or ornamental, or both, or neither. The bridge between Hyde Park and Kensington Gardens, over the penned-up water which used to trickle through two or three holes in the wall, has been built for ornament only; it was clearly not wanted for utility. The old wooden bridge at Putney has long been useful: nobody will call it ornamental. The Suspension-bridge at Hammersmith is both useful and ornamental: useful as shortening the distance from London to Richmond and Hampton; ornamental in the highest degree, as a beautiful work of art. A bridge that is neither useful nor ornamental, is a Chinese bridge over a royal fish-pond, interdicted to all but royalty, which never sets foot on it. The new London Bridge will be more ornamental than the old one in the eyes of all but antiquaries and lovers of the picturesque. It will be in some respects as useful to those who pass over it, though far less convenient to many, without being more so to any. The increased utility, if any, will be in the enlarged waterway. We shall inquire whether, on this ground, a sufficient case has been made out for demolishing the old structure, with its nineteen irregular arches, and setting up the new one, with its "five beautiful elliptical arches, constructed on the most scientific principles of any arches in Europe:" to borrow the words of a paragraph, which we may suppose somebody paid for very handsomely, as it appeared simultaneously in all the newspapers of one morning. If it should turn out that we have got nothing by it but a pretty toy, it will be worth while to see how much it is to cost, who is to

pay for it, and how the whole concern has been schemed and executed.

The old London Bridge* was begun in 1176, and finished in 1209. It was built on such unscientific principles, that it ought to have been carried away before it was finished, when it was finished, and at any given time subsequently; but partly by the awkward contrivances of barbarous men, partly by its own obstinacy, it has stood six centuries and a quarter, amidst the perpetual prophecies of disinterested engineers that it could not stand any longer: while one bridge after another, on different parts of the same river, in which no son of science had espied a flaw, has wilfully tumbled to pieces, by the sinking of the piers, or the yielding of the abutments, in despite of the most mathematical demonstrations of the absurdity and impropriety of such a proceeding.†

During the six centuries and a quarter of its existence, London Bridge has undergone many changes, and projectors have always been busy in proposing more. The waterway has been contracted for the benefit of the water-works, which wanted a head of water for a fall to turn the wheels; widened for the benefit of the navigation, which wanted a broad and safe passage through the bridge; contracted again for the benefit of the navigation, which wanted a head of water to give a sufficient depth during the latter half of the ebb. These two last wants of the navigation, being incompatible, have oscillated in petitions and counter-petitions, for keeping up the head of water, or for making a clear waterway. Committee after Committee of the

* Previously to this stone bridge there was a wooden bridge, which had existed, as some suppose, from 994: having of course required and received great and frequent repairs.

† The bridge over the Thames at Staines is a notable instance of this perversity in brute matter. About thirty years ago there was, at this place, a wooden bridge, which was condemned, and a stone bridge of three arches was built just below it. This was scarcely finished, when the piers sunk, and the arches cracked; luckily in time to stop the removal of the condemned wooden bridge, which, it was discovered, might be trusted till another new bridge was completed. It was now taken for granted that the bed of the river could not support piers, and an iron bridge of one arch, with comely stone abutments, spanned the Thames with infinite grace. But this again had scarcely been opened, when, under the pressure of a herd of cattle, the arch stove-in the Middlesex abutment, and again, luckily, in time to stop the removal of the wooden bridge, which, it was again found, would serve till the completion of a third new edifice. This was a wooden bridge with an iron railing; of which the piles rotted with a celerity quite edifying: and now, after repeated repairs, this is condemned in its turn, and another stone bridge is in progress, and nearly completed, which will of course last till Doomsday.

Corporation of London and of the Parliament, have had before them persons, statements, and plans, exhausting all modes, anticipating all consequences, and computing all expenses of change. This accumulated wisdom of evidence, having been digested by the Collective Wisdom of the nation in 1821, the New Bridge is the result.

The waterworks are gone: the starlings will go: there will be a clear waterway: no more lives and property will be lost in shooting the bridge: and the new structure will have been completed in a manner that will make it an egregious impertinence to doubt of its eternal duration. Nothing but an earthquake can disturb it.

The first advantage gained is the clear waterway, and the consequent saving of life and property in the passage under the bridge.

First, of life. There is a return, in the Appendix to the Report of 1821, of Coroner's Inquests on persons drowned in passing, or attempting to pass, through London Bridge, from 1800 to 1820 inclusive. The number is eighteen for twenty-one years; not one per annum. It would have been well to have called at the same time for a return of the inquests on persons drowned in passing, or attempting to pass, through Chelsea Reach. We take it the result would have been as formidable. We should like also to see, by-and-by, a return of the number of lives lost during, and in consequence of, the building of the new bridge and the removing of the old one. We should expect that the comparison would shew anything but an economy of life.

Amongst the papers in the same Appendix,* we find the evidence of some lightermen on the loss of life and property at London Bridge. One of these gentry estimated the loss of lives at twenty, another at thirty, annually; one estimated the annual loss of property at 20,000*l.*, another at 40,000*l.* Rectifying their opinions on loss of life by the coroner's returns (after making allowance for bodies not found) and by all the specific facts we can discover in the evidence, and applying the same principles to their opinions on loss of property, we conclude, that in setting down the loss of life at two, and the loss of property at 3,000*l.* per annum, we greatly over-estimate both.

We will cite from the evidence a specimen of accidents in both classes: and first, of loss of life.

Thomas Robinson and another man were rowing their master and his son from Vauxhall to Deptford, at midnight.

* Commons, 1821—p. 99.

'We came, says Robinson, past St. Mary Overy's Church, and I heard St. Mary Overy's clock strike a quarter after twelve. I told him we had better stop, for the bridge roared, it was not safe to go through. He said, we will lie by for a while; and we pulled to the Old Swan, and made fast to a craft below the stairs: we waited there about half an hour. My master says to me, it is flood. No, says I, it is not flood. He says, it was flood to-day at Deptford at a quarter after ten. I said, No, it was not, for I was on the Causeway a quarter before eleven, and there was no flood had made. The answer he made was, You know best then; I know it is flood. As such I shoved the boat off, and we rowed out into the stream. Being dark, he looked at the middle lights of the centre arch to shoot it: it was so dark we could not see any other arch. I was shooting it; the boat went down that declivity; she took in so much water that she filled the lower side with the surf. The boat upset and turned over; my master and his son and the mate were drowned." '—*Minutes of Evidence, Commons,* 1820—p. 18.

Is it possible to preserve such desperate rashness as this from accidents? London Bridge can be passed with safety downwards, on the flood tide, only on what is literally the nick of time—the few minutes during which the water is level, or nearly so, and not flowing forcibly upwards. This point of time it is difficult to ascertain from above bridge even in the day, and the attempt to hit it in a night totally dark, without knowledge even of the computed time of flood, could not be expected to have any other result. Most of the accidents detailed in the evidence are of this description, and are such as common prudence might have avoided.

Next, of loss of property. The following is a memorandum of Mr. Samuel Pegge:—

'1814: January 15. Saturday evening, about half-past six o'clock, put J. Bencroft, our lighterman, in the Martha barge, laden with fourteen chaldrons of coals, then lying off the Tower, to take home to Old Barge House Wharf (I came up in this barge, thinking it would be safer than coming up in the skiff). While driving up a little below London Bridge, with several other barges, heard a confused noise of men, upon and under the bridge, of "keep your barge to the southward;" others said, "keep to the northward." The lighterman put the barge's head to shoot the great arch, but was prevented from going through by Messrs. Johnson's barge and a quantity of ice, and she sunk with several others.'—*Commons,* 1820—page 7.

Here was total darkness and the river covered with floating ice. A few days after this date there was a fair on the Thames. There is scarcely a bridge between London and Oxford under which barges have not been sunk in floods and frosts. The only conclusion we should draw from the accidents we have cited (and the majority of the accidents in the evidence may be classed

with them) would be, that there can be very little danger in daylight and ordinary circumstances, where, in darkness and extraordinary circumstances, danger is so readily risked by men who have been familiar with the navigation for years. This conclusion is borne out by some pretty old practitioners; one or two of whom we shall cite.

Mr. James Grant—

'How many craft are you master of?—Twenty-one or twenty-two.

'How long have you been in the habit of navigating the river through London Bridge?—About twenty-six years.

'Has your practice of going through been frequent or casual?—Frequent, both during the night and day. At all times of tide, and at all times of night and day.

'During this period of years have you met with any serious accidents?—No.

'Have you seen accidents happen to other craft?

* * * * * *

I have seen accidents very often happen at the bridge through carelessness. I believe most of the accidents happen through carelessness.'—*Commons*, 1821—pp. 19, 20.

Mr. William Waller, the next witness,

'Had passed through the bridge for twenty years, four or five times a week, and sometimes two or three times a day, and had never met with an accident.'—p. 24.

Mr. J. W. Goss, wharfinger, was addressed with this question:

'Have you yourself received any damage from the bridge in its present unfortunate state?—I believe, about three-and-thirty years ago, my lighterman, or a man who stowed a cask in a skiff fore and aft, instead of athwart, did not secure it sufficiently; and going through at the tail of a lug-boat, the boat got a cant and turned the cask out.

'And that was owing to the bad stowage of the cask in your skiff?—Entirely: it was the only accident I ever had that I paid for.

'How many years is that ago?—Thirty-three years ago; and I have been at the wharf where I now am three-and-forty years, and do not believe I have paid 5*l.* of damage for forty years; and I think I sent as many craft through as Mr. Sills.

'How many craft a day?—Two or three on an ebb tide, and two or three on a flood tide, every day and every night.'—*Commons*, 1821, p. 70.

James Kelly, lighterman, [p. 17.] had lost a cask in a somewhat similar manner, and this was his only accident in forty years.

All sorts of persons most familiar with the bridge and the river, for twenty, thirty, and forty years, were interrogated as to all the accidents they had experienced, seen, or heard of; and

those who had sustained losses furnished accounts of the amount. Putting this mass of evidence, hearsay and all, together, we are satisfied that two lives and 3000*l.* per annum, would be a very high estimate of the loss of life and property at London Bridge; and that not the bridge itself, but the rashness and impatience of the sufferers, caused the great majority of the accidents.

But admitting this amount of damage (or any other amount that any one may please to assume) to be a cogent argument for an enlargement of the water-way, two other questions arise: First, are there no countervailing reasons, from probable damage of other kinds, resulting from such enlargement? and secondly, Could not the requisite enlargement have been obtained by altering the old bridge, as effectually, as securely, and more economically, than by building a new one?

The certain consequence of the enlargement of the water-way will be, that the tide above-bridge will ebb lower and flow higher: there is much difference of opinion as to the degree. Some have calculated that the spring-tides will flow two feet higher: others, that the additional rise will be eight inches only.

The difference of level on high water spring tides, at a little eastward and westward of London Bridge, was stated as an established fact in the Report of Dance and others to the Bridge Committee in November 1814, to be two feet.* This statement was followed by a decided opinion, that no injury to the upper banks would result from the additional rise. The report, indeed, contemplated a great enlargement, but not a total opening, of the waterway.

The late Mr. Rennie thought, in 1810, that

'If London Bridge were removed, some part of the river banks, from Westminster up to Chelsea, would require to be raised from twelve to eighteen inches; but that it would not be attended with any great expense. He did not think that the higher flow would fill any warehouses or cellars, but if so, he would be glad to raise his own wharf for the sake of the improved navigation.'—*Commons*, 1821, p. 99.

"For the sake of the improved navigation;" not for the sake of having a hand in the new bridge: which would, however, afford very good compensation for the expense of raising a wharf.

"The high-water line," says Professor Barlow,† "has a fall from London Docks to London Bridge of 1½ inch at spring tides, but it is a dead level at high water neap tides, as it is also

* Commons, 1821, pp. 89—90.

† Jameson's Edinburgh New Philosophical Journal. 1826-7, II. 49.

between the London Docks and Blackwall. And from London Bridge to Richmond, the high water mark is, according to the survey of Mr. Giles, the city surveyor, one dead level:" . . . . . " so that, at a medium spring-tide, we may expect the high-water mark from the bridge upwards to Richmond, to be higher by about 13 inches than it is at present." This proceeds on the supposition that 13 inches are penned up below London Bridge at the high water of medium spring-tides. There is, however, much more than is here noticed to be taken into consideration.

It is not a question of medium spring-tides, but of the highest spring-tides: those which follow the autumnal, and precede the vernal equinox, and which are the highest of the year under ordinary circumstances; and those of any of the intermediate winter months, when a great land flood meets the top of a spring-tide; as in December 1821, when, even with the mighty rampart of the old bridge keeping back a great mass of tide-water, immense damage was done, all along both sides of the river, from Westminster upwards on the Middlesex side, and from London Bridge upwards on the Surrey side. The question to be asked is, whether disasters of this kind, which have hitherto been rare, will not probably become frequent when the dam of the old bridge is removed? If so, the banks will require raising; and if so, by whom is such raising to be paid for? By those who cause the damage? By those who sustain it? Or (as we shall see the new bridge is to be paid for), by some unfortunate third party who has nothing to do with it?

" I shall not enter farther," says Professor Barlow, " into the probable changes which the removal of the bridge may occasion. A short time will decide the question by the best of all tests, actual experience."

No doubt: " Experience teaches," and so forth. But it will be poor consolation to a man, who sees the best part of his property suddenly laid under water, that philosophers, who could not foresee the case in its causes, will be able, when it is past remedy, to expound it in its effects.

The committees of 1820 and 1821, did not take the right way to seek, and certainly did not obtain, any evidence calculated to satisfy a rational man, whether scientific or practical, of the probable difference that will be made in the rise of the tides above bridge by the removal of the dam. One person had measured the difference of the high-water line on each side of the old bridge, and found it to be eight inches: another had measured it on another occasion, and found it to be thirteen inches: others were satisfied, that from some little distance be-

low the bridge to some little distance above it, the difference was two feet: putting all which together, we should set down the difference of level at a medium of fifteen inches; we should opine that fifteen inches additional rise would be considered too much by those who had the spring-tides at their doors, or on their premises, already; and we should still see, that the mere difference of level, within a limited space above and below an obstruction, is only one element in the computation of the probable flow of the tide: and if the examinants do not appear to have thought of any other, it only shews, that "there are more things in heaven and earth than are dreamed of in their philosophy."

The flow of the tide up a river is the propagation of a wave: and the higher the tide ascends, (though with occasional variations) the greater is the height of the high-water line above that of the high water of the sea.* The high water at London Bridge, as ascertained by experiments during the trigonometrical survey, is eighty feet above the high water at the Nore. Any great obstruction diminishes or destroys this natural ascent of the high-water line, by breaking the impulse at the point of obstruction, and lessening the volume which passes it.

By removing the dam of the old bridge, the impulse will be greatly increased, and the volume of water passing upwards will be doubled. The area at high water will be increased from 7,360 feet to 14,500.† The high-water line from London Bridge to Richmond is at present a dead level. The obstruction is the only cause that can be assigned, for the ascent of the high-water line stopping at the bridge. The dead level will be raised about fifteen inches, but the unbroken impulse, and the double volume of water, will in all probability cause the high-water line to ascend from London to Richmond in the same proportion as from the Nore to London. This is at least highly probable: and if experience should confirm the theory, the mischief that will ensue defies calculation. Logs of mahogany will swim about Bankside; kitchen-fires will be extinguished in Lambeth; cabbages will be submerged, and melon-frames floated off at Millbank; the Duchess of Buccleugh's beautiful villa at Richmond, will become a "house of pleasaunce" for Naiads: and our two-tailed friends will be set paddling about Westminster Hall, and sending forth sounds as choral, though

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* *Vide* Newtoni Principia, Tom. III., Propos. 24: Theor. 19, pp. 92-98; Ed. Glasg. 1822.—Buat. Principes d'Hydrauliques.—Articles Tide and River; Encycl. Brit.—Robison's Mechanical Philosophy, vol. iii. p. 357.

† Commons, 1821, pp. 104, 5.

not as musical, as those which Aristophanes puts into the mouths of the Frogs of the Styx.

The effect on the ebb will be, that during several hours of every tide, the river above bridge will be at least as low as it now is at the lowest water of spring-tides. These several hours, the latter half of the ebb, are those during which it is now dangerous to pass the bridge: but what will the navigation have gained, by having that which is now dangerous made impossible?

The long existence of the dam has also had the effect of raising the bed of the river above bridge. There is a point just above the old bridge where the bed of the river becomes suddenly lower: and at this point there will be, in the latter ebb, a shallow rapid, till the upper channel is deepened. It may be deepened by dredging; if not, the current will wear it down, and the result of this will be, to endanger the stability of all the other bridges, and to incur the risk, that their piers may be gradually undermined, unless protected by costly operations.

Now let us suppose all these objections over-ruled, and the necessity of an enlarged waterway established: the necessity for a new bridge remains to be proved.

Sir Christopher Wren was of opinion, that eighteen arches of the old bridge, might with perfect safety be thrown into nine; by removing every alternate pier. Mr. Labelye, in 1746, proposed removing the starlings and casing the piers with three or four feet thickness of Portland stone. In the year 1759, the present centre arch was constructed, by removing a pier and throwing two arches into one, and it has been, at subsequent periods, proposed to extend this process to two, or three, or four new arches, or even to the full extent of nine proposed by Sir Christopher Wren. The evidence in favour of the safety and efficacy of this operation is abundantly sufficient to satisfy every mind not predetermined on a job.

The Report of Messieurs Dance and Foulds, in 1799, describes the starlings as in a state of perfect security, and certain to be kept so with due attention; and the general mass and body of the masonry as in a state likely to last for ages.*

We shall now collect a few opinions respecting the strength of the piers, and their capacity to endure the process of throwing two arches into one.

Mr. Dance, 1799, thought

'The piers of the centre arch, which had already endured this operation, were still strong enough to bear the raising of the centre arch to double its actual height.'—*Commons*, p. 469.

* Commons, 1799, p. 469.

Mr. William Chapman, Civil Engineer, gave his opinion, (1821): that

'The waterway of the old bridge might be enlarged with perfect safety, and that the bridge, so altered, would last for ages with due attention.'—*Commons*, 1821, p. 47.

Mr. James Walker, Engineer, the builder of Vauxhall Bridge, being asked:

' "Would you be perfectly satisfied to try the experiment of the alterations, without coffer dams?" answered, "Certainly: because those piers and starlings have stood six hundred years, and they do not appear to have settled, and there is no indication of it." * * * * * * "Then you pledge your professional reputation, that it would be a better plan to make an alteration on the old piers, than to build a new bridge entirely?"—"I think it might be made as secure upon the present piers and starlings, as the foundation of any new bridge.' "—*Commons*, 1821, p. 64.

Mr. Thomas Piper, Stone-mason to the Corporation of London, was asked:

' "After eighteen years experience, and this [recent] examination, have you, or have you not, any doubt of the foundation of London Bridge supporting the proposed superstructure?"—"I have no doubt at all upon the subject; and the reason of my feeling confident is, that, whatever imperfections or blemishes there may be in the bridge, there is not the least indication of any having arisen from the yielding of the foundation; and I think the experiment which has been made, in turning the present great arch, fully justifies the belief, that the arches that are now proposed to be turned may be so turned with safety; but I am more disposed to think so, from the circumstance, that when the present large arch was turned, for about twelve or thirteen feet on each face of it, it was put upon foundations that had never sustained any such weight; therefore, in turning arches as they are now proposed, we have better means of knowing that the foundation is competent, than they had who turned the present large arch; and I also think, that very little, if any, additional weight will be put upon the piers by making this alteration, because the spandrils will not, as I understand, be filled up solid." * * "Supposing this work to be done according to the best of your judgment, and under your own directions, what is your opinion as to its duration?" —"I think it quite probable, that the bridge would stand as long as it has already stood." '—*Commons*, 1821, p. 66.

We cannot afford space to multiply citations, but the whole tendency of the opinions given before the committee of 1821, (Mr. Rennie's excepted) is to the effect, that the foundations of the old piers were fully adequate to sustain any additional weight that the enlargement of the arches might throw upon them. And it must be borne in mind, that during several

centuries, a street of very large houses existed on the bridge, including a chapel and fortified gates.

And what was set against the mass of opinion on this side? Nothing but Mr. Rennie's doubts on the other, his statement that he had poked a boat-hook into a fissure, (which fissure had existed unaltered for at least half a century) and his saying, that he should not like to risk his reputation in the construction of new arches on the old piers, without having previously examined the piers through the means of coffer-dams.

The proposed alterations in the old bridge, would have cost 92,000*l.* without the coffer-dams: these would have cost 20,000*l.* each: and if six piers had been so examined, the cost of the examination would have been 120,000*l.* But we are satisfied, and we think our readers must be, that no such examination was necessary. Therefore, the water-way of the old bridge might have been enlarged for 92,000*l.*; and there would have been no material interruption to the traffic over it, and no destruction of property.

Mr. Rennie's estimate for the new bridge was 430,000*l.*; with an additional 20,000*l.* for a temporary bridge. The new bridge was to be built on the site of the old one, to obviate the necessity of new approaches, "which would lead," said Mr. Rennie, "to a very heavy expense." He gave his opinion, however, that the expense of new approaches, would be "very, very much less indeed than that of the new bridge itself;" less, that is to say, than 430,000*l.* It appeared, also, in evidence, that the expense of keeping the starlings and the old bridge in repair, was about 4,000*l.* per annum.

The committee decided that an enlarged water-way was necessary to the navigation; and that a new bridge was necessary, from the dangerous state of the old one. The corporation of London advertised for plans for a new bridge; received many, and gave the offered premiums for the first, second, and third in merit; of which three Mr. Rennie's was not one. The Act, however, which passed in 1823, stated specifically that Mr. Rennie's plan should be adopted, and it was adopted accordingly. Messieurs Jolliffe and Banks were the contractors, as augurs and aruspices had foretold they would be.

The work proceeded. The coffer-dams of the new bridge contracted the water-way, and obstructed the navigation more than ever. Four arches were therefore thrown, or rather torn into two, by removing in two places an intermediate pier, and throwing plank-work across from the piers on each side. This being done without the precautions that would have been taken for a more

permanent purpose, was the severest test to which the old piers could be subjected; and the manner in which they have stood it is to us the strongest possible confirmation of the opinion, that the proposed alterations of the old bridge might have been made with perfect safety, and with every probability of the structure enduring for ages.

With respect to the removed piers, they ought, according to the theory of their insecurity, as soon as the piles of the starlings were withdrawn from around them, to have been carried clean away from their foundations by the force of the current. So far from this, however, they were, with infinite difficulty and delay, got down below the low-water of spring-tides. This was stated in the last published report respecting them, (December, 1826*) and for anything we know to the contrary, there they are still.

The work being in fair train, and past recalling, it was in due time discovered that the bridge would cost more, and the approaches much more, than had been dreamed of. An extra million or so was peremptorily required at the end of 1829. It was proposed, that this sum should be raised by loan, the interest to be defrayed by a tax on all coals passing up the river. It was held to be unbecoming to put a land-toll on the bridge, because there had never been one, and it was so great a thoroughfare; it was very unbecoming that those who used it should pay for it; but the consumers of Newcastle coal, all the way up the river to the westward: the old ladies of Maidenhead, for instance, who enter London at Hyde Park Corner, and to whom the Bridge can never be of any earthly service, were deemed the most eligible parties to bear the cost of a good transit for the citizens, from Gracechurch Street to Blackheath. The Lords' Committee of 1829, sat on this proposal. The first person examined was the present John Rennie, esq., and his evidence is not only highly instructive, but the most amusing, that ever fell under our observation in a parliamentary paper.

The original estimate for the bridge and approaches was 906,000*l.*: (506,000*l.* for the bridge, 400,000*l.* for the approaches). 575,552*l.* had been expended, 166,745*l.* were in hand, and 999,766*l.* were wanted: in all 1,742,063*l.* The excess beyond the original estimate was caused by departures from the original plan. The plan was, to build the new bridge on the site of the old one, first building a temporary bridge above it: but the Committee of the Corporation had decided, as

* Lords, 1829: Appendix, p. 873.

they had power to do, that it should be built 180 feet to the westward. He thought the original plan best: he believed he had said so: but it was not his business to remonstrate or to ask reasons: he had nothing to do but to carry the decision into effect. They had asked if it was practicable to build the new bridge 180 feet to the westward: he had answered that it was: they had exercised their own discretion, and he had obeyed them. In the original plan there was no arch over Thames-street. He did not know whether any other plan, which included an arch, had been rejected on the score of the expense. His attention was confined to his own plan. The arch-way would get rid of the cross traffic of Thames-street. Waggons from Thames-street, to cross the bridge, would have to go round, undoubtedly. Persons from Billingsgate market, and from the fruit-warehouses in that line, crossing the bridge with loads on their heads, a good number certainly, (the question said "an immense number") would find it not so convenient to ascend the steep and narrow stairs, which will be the only approach for them. It would be not so convenient: it would be very inconvenient, certainly. The old bridge was in a very precarious state: it had been so for half a century and more: it had been made much worse by the throwing of four arches into two: he had done this in obedience to the committee: they had asked if it was practicable: he had said that it was practicable; but that he would not be responsible; and he was not responsible. He had obeyed orders: it was not his business to make representations. In one of the new arches, the low water had deepened from four feet to twenty-three, and the entire superstructure had been in danger of falling down. This had been prevented by throwing in rubbish. The alterations had cost nearly as much as the temporary bridge would have done. The expense of the temporary bridge had not been saved by the departure from the original plan. He did not know that the Act of Parliament prescribed Fish-street-hill as the avenue to the new bridge. He had nothing to do with Acts of Parliament, and had really not looked into it. Fish-street-hill would certainly not be the main avenue. He had altered the plan of the approaches on the authority of the Corporation Committee. He did not know that they had no authority to alter the plan of the approaches. He did not know that they had only authority to carry the Act into effect. He knew nothing of their authority. He had never thought of inquiring into it. He knew they were connected with the Treasury. He thought the letting of the dry arches, and the increased frontage of the streets, would pay

for contingencies, but he was not sure. He would not say that a still further sum of money would not be required.

All this was in the form of costive answers to questions. Our limits have compelled us to deprive it of its dramatic effect, which is great; but it is altogether a very pretty story. A commission of lunacy would not sit very long on any individual who had managed his private affairs as this public affair has been managed. But by whom? By the Parliament? By the Treasury? By the Corporation Committee? Nobody is responsible. We do not blame Mr. Rennie. He has taken the only course to bear himself harmless. But this Corporation Committee makes an exquisite figure, fixing the site of the new bridge without thinking of the approaches; ordering the alterations of the old one without thinking of the consequences; violating the provisions of the Act which they were empowered to carry into execution; spending all the money they had in getting their job half-finished, and proposing to raise more by taxing all consumers of sea-borne coal who happen to dwell westward, and who have no more to do with the bridge than the man in the moon.

In 1821, the estimated expense of this job was 600,000*l.* In 1823, it was 900,000*l.* In 1829, it was 1,740,000*l.* At a mean of these rates of progression, it will have grown to 2,600,000*l.* in 1832. The plan of approaches has, while we are writing, been altered again, after an immense destruction of property according to the plan of 1829. There will be much more demolition (including the old church of St. Michael, which is to be abolished utterly); and what with this, with making and paving the new roads, with clearing away the old bridge, and with all the contingencies of so complicated a mass of operations, we have not the slightest doubt that the entire expenditure will be THREE MILLIONS.

The whole affair is an instructive specimen of the way in which public business is done, and public money expended. Evidence is collected, and conclusions are drawn in the teeth of it. Plans are collected, and it has been predetermined whose plan shall be adopted. Tenders are called for, and the contractors have been already chosen. Estimates are prepared, and the expense doubles, triples, quadruples, in the progress of the work. Millions are thrown away in buildings, in colonies, in baubles and incumbrances of all kinds, in order to put a few thousands into the pockets of favoured individuals.

And what if the low ebbs and the high floods should create a clamour for restoring the dam, and on that clamour should be

founded a new job for contracting the waterway of the new bridge? Nobody will be responsible. Successively, from the sagacious engineer, to the discerning Corporation Committee, to the enlightened Treasury, to the scrutinising Treasury-bench, to the wise and incorruptible Parliament, to its free and independent constituents, Responsibility, in this, as in all other cases, like a shallow stream descending from a lofty mountain, bounds with decreasing force from ledge to ledge, and is lost in vapour before it reaches the bottom.

We have not touched the question as a matter of sentiment. But, even on this ground, we do not like these sweeping changes, which give to the metropolis the appearance of a thing of yesterday, and obliterate every visible sign that connects the present generation with the ages that are gone.

ART. XI.—*Remarks on the Disease called Hydrophobia, Prophylactic and Curative.* 12mo. 4*s*.

HOW does it happen, that in these enlightened days, when the mists are dispelled which clouded the vision of our forefathers, and men have begun to look at, and to examine things for themselves, that there is still one subject which retains all its tremendous power over every class of society—women and children, heroes and statesmen, the most illiterate and the most learned, all are filled with terror when the name is introduced of that most terrific of diseases, Hydrophobia. Upon it hangs universal panic; and it seems as if contagion were to be feared even from an examination into the real nature of so formidable an enemy.

But let us meet the terrific spectre, and see if a little common sense can be brought to bear upon a huge mass of folly and superstition; a few remarks will suffice, at all events, to make this universal bugbear somewhat less appalling: should they be successful in removing the prejudices which have hitherto attached to it, not only will it be divested of half its horror, but men will wonder how they should so long have shut their eyes, reverentially listening to, and believing all the stories of their venerable grandmothers.

It may appear not a little presumptuous, at once to declare our conviction, that the disease called hydrophobia in the dog has nothing to do with the disease of the same name in the human species; in other words, that the madness of the *biter* has no effect on the madness of the *bitten*, and that a man who has been bitten by a dog in perfect health, is just as likely to have

all the symptoms of hydrophobia as if he had been bitten by a mad one. And these are the reasons.

The saliva of the rabid animal has been always supposed to possess the virulent property which occasions hydrophobia. As one proof that it has this poisonous quality, it is remarked, that a bite inflicted on the naked flesh is more often followed by disease than when any part of the clothing has intervened, *because* the saliva is then absorbed, and does not pass into the wound. The simple fact being that the bite will be less severe, because of the additional resistance of the clothing.

The effects of all poisons with which we are acquainted are certain and determinate: it never happens that a known poison can be received into the animal system with impunity; the time is also specific at which its operation begins and ends. But assuming that the saliva of the mad dog is poisonous, the real truth is, that it has no effect at all on by far the greater number of those who have been subjected to its influence; and even on those who have been supposed to have been affected by it, the time at which the symptoms appear, is altogether undetermined. We speak now of its effects on the human species; for what is called hydrophobia in them, is attended with many symptoms very different from those which accompany the disease of the same name in quadrupeds.

Is it to be imagined that a poison injected into a wound will retain peaceable possession there for months, and even years, and then suddenly disturb the whole system? The interval between the bite, and the supposed effects, has been sometimes so long, that, literally speaking, it may be said to be not the same individual who pays the penalty for the bite: for the animal frame has, in the course of so many years, undergone a complete change: every atom of the former self has been decomposed, and the poisonous matter supposed to have been left in the wound at the time of the bite, must also have disappeared.

It is no answer to this observation, to affirm that other diseases are given to the human subject by the introduction of virous matter; the small-pox, for instance, by inoculation, which also remains locally dormant for some time, and then affects the whole system. The certainty of the symptoms, and the time when they will appear, in the one case, and the capricious uncertainty, as it regards the *when* and the *where*, in the other, are circumstances which show most decidedly, that the two cases are not governed by the same laws. If the saliva had the invariable effects that the variolous matter has, there would be no more mystery in the one case than in the other.

In what infection consists, and what is the first effect which constitutes the reception of disease, are curious and puzzling inquiries. Some organic change must take place at the moment disease is communicated, or what is meant by *taking infection?* The symptoms of the disorder do not appear till after a certain number of days; but the disease must be received somewhere in the system at a stated time before it shows itself.

Hydrophobia in man is of rare occurrence. During the last thirty years only six or eight cases have been known at Bartholomew's hospital; and among twenty persons, who at one time were bitten, only one had the disease; so that the exceptions from the effects of this supposed virulent poison, here seem to form the rule, whilst the observance of the usual laws of cause and effect, if the received theory of hydrophobia be a true one, are very rare; not more frequent than one in twenty!

It is said, that there are ten animals besides the human species that are susceptible of this disease. They are the dog, wolf, fox, and cat; the horse, ass, mule, cow, sheep, and pig. The first four only, as it is pretended, have the power of communicating it.

The mysterious and capricious agency with which, among the human species, hydrophobia has hitherto appeared to select its victims, has been one fearful adjunct in the catalogue of its horrors. It has set at defiance all the laws by which we reason, either from experience or analogy. By some unknown spell it has seemed to seize upon its unhappy choice, and to have exerted its baneful influence peculiarly over the powers of his mind. But on a short examination, the solution of the enigma presented itself. As far as we know, it has never occurred to any one to suppose, that the cause of this direful malady originates in *the nature and shape of the wound,* and not from *any virulent matter injected into it.*

A wound made with a pointed instrument, a nail for instance, the hand or foot, has not unfrequently been followed by tetanus; and the same consequences have succeeded a wound where the nerve has been injured, without being divided.

It deserves particular notice, that the only four animals that are said to have the power of communicating this malady have teeth of a similar form. They would make a deeply-punctured wound; which is precisely the kind of wound which more often than any other is the herald of tetanus.

Though the symptoms of hydrophobia have hitherto been considered somewhat to differ from tetanus, they agree in their principal characteristics; in being spasmodic, in peculiarly affecting the muscles of the throat, and, in short, in producing

the same great excitement in the whole nervous system. A more attentive examination of the subject will perhaps show, that the symptoms of each disease are more exactly similar than has hitherto been imagined; and that they have been modified only by the peculiar constitution of the patient. All that is meant here to be asserted is, that there is nothing in the symptoms of the one disease which has not, in its general character, been found in the symptoms of the other. Immense quantities of opium can be borne by those labouring under either disease without the usual effects. Excision is said to be the only remedy in both diseases; and in each it is equally powerless after the nervous excitement has once commenced.

The horrible custom is said not to be yet entirely exploded of smothering the unhappy sufferer between two feather-beds, from the fear that he may communicate the disease by biting those around him. It has sometimes happened, that under the influence of extreme terror, the poor wretch has, in his agony, begged to be prevented from injuring his attendants; but we have never known of any instance where an inclination to bite has been exhibited. Hydrophobia is no more the necessary consequence of a bite than blindness is.

One word on the hydrophobia of animals, and particularly as it appears in the dog; he is more often the subject of the disease, and his domestic habits bring him more under our observation.

There seems to be scarcely the slightest resemblance between any of the symptoms of the hydrophobia of man and those of the brute creation. The dog, under the influence of his disease, generally appears dull and out of spirits, and snaps at any person or thing near him. His aversion to fluids is by no means universal—he has very frequently been known to drink a short time before death; so that the horror of water does not form a characteristic symptom of his malady. It applies much more properly to that of the human species, where even the sight of fluids often produces violent spasms in the throat; the contraction has been so great that it has been found impossible to swallow, notwithstanding the earnest wish of the patient to do so.

That a dog should be called mad in consequence of having the symptoms referred to above, is a sad error of language, and leads to the many absurd opinions which depend upon this term; we must consider, however, that the moment such an idea enters into the head of any person (who has a *tongue* also), the alarm of a mad dog is echoed far and wide; the poor animal is hunted about till its frightened condition gives it the appearance of wildness or madness. There are few people who have not, at

one time of their lives, felt the terror inspired by either seeing or hearing of such an animal in their neighbourhood.

Men may call a certain disease canine madness if they will; our position is, that this disease is not to be communicated to other animals by a bite, but by the usual manner in which other diseases, that are called infectious, are communicated. It may be as infectious among animals as the disease called the distemper among dogs is considered to be; or possibly, it may be an epidemic: either supposition will account for the fact, that dogs in the same neighbourhood have frequently had this disease, when there has been almost, if not absolute certainty that they have not been bitten.

In conclusion, we state, that the saliva of the so-called rabid animal has no poisonous quality. The disease named hydrophobia in man is caused by the injury of a nerve; when fatal effects occur, they are accidental circumstances attending the wound; and as they more frequently follow punctured wounds than others, the teeth of a dog are as likely to produce them as anything else, and the reason why every bite is not succeeded by the same consequences is, because no nerve is injured so as to produce the appalling nervous excitement that has received the name of hydrophobia.

A witch! the plague! and a mad dog! behold the Trinity which long held the dominion of fear over mankind. The days of the first person in this trio are at an end; scarcely can any one be found to pay her homage. The plague, though no trifle, is viewed with less horror, because its nature is better understood, and it may be, at all events, avoided by not entering the fatal locality. A mad dog still exercises a fearful influence over almost all the thinking as well as unthinking portions of society; but the star of his ascendancy may be on the decline, and perhaps the little that has been here said on the subject may contribute to hasten his sinking below our horizon. How much of anguish—how much of apprehension—may be disposed of by the removal of unfounded fears; and in this effort to dispel them, we anticipate the cordial co-operation of others.

ART. XII.—1. *Bill (as amended by the Committee) for establishing Courts of Local Jurisdiction.* House of Commons Papers, Session of 1830. Date 21st of June, 1830. No. 568. Moved by Henry Brougham, Esq., Barrister-at-Law, M.P. at that time, for the Borough of Knaresborough.

2. *Equity Despatch Court Proposal.* By Jeremy Bentham.

3. *Equity Despatch Court Bill.* By Jeremy Bentham.

LAW Reform! Law Reform! what does it mean? Removal of the imperfections, of which the source and seat is in the body of the law in general, and more particularly in the system and course of judicial procedure.

The Works at the head of this article represent the opinions of Bentham and Brougham: the opinions of one, after sixty years' study—the opinions of the other, after about as many months—on one interesting topic in the field of Law Reform. The two plans being as like as white and black are,—each, by their being considered in juxta-position and contrast, may be made to throw light upon the other.

In Bentham's plan we have long beheld a model—a model to be imitated: in Brougham's plan we see, and that is just as we anticipated, a beacon—a beacon to be avoided. Bentham's a model? Yes; and moreover one which, while working, Brougham himself had before his eyes. Bentham's plan had the advantage of priority of date—and it has the greater advantage of completeness and comprehensiveness. "Much meditating on the subject," this melancholy and mortifying conclusion has been forced upon us—that, under the notion of lessening the amount of the evils of the existing system, not only the *tendency* of the plan brought into parliament by the eloquent lawyer, but the very *object* of his endeavour, has been, to give not only *perpetuity* but *increase*, to those same evils. Beholding thus, in this extraordinary man, a character so dangerous to justice, and all that happiness which depends on justice, we have found ourselves, insensibly but unavoidably, led to that general retrospect —of which the result is, this still more mortifying persuasion, that there are few men who at this moment oppose more serious impediments to human felicity than does Henry Brougham: his own particular and personal interest is, as we deem it, adverse, irreconcileably adverse, to the happiness and interest of the vast many; and as while in the pursuit of that interest, he exercises the power which grows out of his high and varied talents, we cannot look without much apprehension upon his purposes, and upon his position.

Of this our conviction, we shall proceed, with all simplicity, and without reserve, to state the grounds: proportioned to the amount of the menaced danger will the service of the warning be.

We shall only speak of Bentham's plan by reference. It is universally accessible. Mr. Brougham's Bill being printed only for the use of Honourable House, it will, in order to guard against suspicion of misrepresentation, be frequently necessary to quote it.

The labour will not be lost; for perhaps such an extraordinary instance of inaptitude as this Bill presents, is not to be found even in modern parliamentary records.

Scarcely a section, certainly not a page, in which some blemish might not be exposed. But any thing like a complete exhibition of this sort being plainly impossible, selection, applied to topics in small numbers, has been found necessary: under which we shall arrange our remarks: and for the purpose of inquiring what law *ought to be*, according to the plans of the two jurisconsults, it will be necessary to have some conception of what Law *is*. Law as it is, we shall personify by Matchless Constitution, and the two projects for improvement shall take the name of Bentham's plan and Brougham's plan.

To cut up by the roots the Upas tree planted in the field of law by Lady Matchless Constitution, to grub it up, and plant in the place of it, a wholesome-fruit-bearing tree; this has been the labour of Bentham. To graft upon the old stock an additional variety of equally poisonous quality, will be seen to have been the occupation of Brougham.

1. Our first topic is what Bentham would call the Cognoscibility of the Law; and Matchless Constitution, addressing herself to King, Lords, and Commons, her eldest, biggest, and preeminently favourite scholars, thus speaks:—"Keep," says she, "keep, and to the greatest extent possible, the law from being known. You stare. Have patience: you shall see the use of this presently: and be the thing what it may, the surest way for keeping it unknown is to keep it from being in existence. But though this can be done by a part of the law, and that a great part, and with admirable effect, this cannot be done by the whole of it. For when there is any thing in particular that you would have a man do for you, there may be some difficulty in getting it done, unless you let him know what it is. For example, you want money from him, taxes let us suppose: well then, you must let him know how much it is, and what he is to do to make it reach your hands; this you must do, or go without the money. But when you have spoken, so far as speaking

was necessary to your ends, then you will, in other matters, find your account in keeping a dead silence. Frequently, as you see, when the part you want a man to take is an active one, he must know what it is, that he may act accordingly; but so far as the part you want him to take is no other than a passive one, the less he knows about the matter the better: for example, if what you want is to send him out of the country to be shot at.

Well then, of all the several things that you want done, whatever things there are that cannot be done without its being known what they are by those who are to do them—when all these have been made known accordingly, for getting the rest done there sits a man (the Judge he is called) whose business it is to get them done. This business he will do for you better—a great deal better—than you could do it for yourselves. You have made it his interest so to do. For what you want done in particular, you bring into existence and knowledge the requisite portion of law according as you want it. But when all this has been put together, still, had it not been for him, a great vacuum would have been left. Hundreds of things, which shame, or even fear, might prevent your ordering to be done, he will thus do, or get done for you. This is what you gain by the arrangement: fear not, that—with this power in his hands—vast as it may seem to be—he will dare, in pursuit of his own interests, to do any thing by which you would be the losers—for example, in reputation—more than you would be gainers in every thing else. Before any harm could happen to you, you would know what to do with him: witness sir Jonah Barrington.

But avoid mistakes. Say not to the Judge, "Judge we want a law made for such or such a purpose (mentioning it)—set to work, you, and make it;" that would be bungling the matter: in this way the responsibility would not be put off upon him, it would keep sticking to you. Leave the matter to him; he knows how to manage. While he is at work, should any body say to him, What is this you are about, is it not making law? I, make law, says he? no such thing; making law is work for nobody but my masters; all I do by it is to declare it: all that part of the law which they have not made—it is by itself that it has been made; and all that I claim any sort of right to do is, to declare what that part is: but as it is not necessary that any part thus declared should be known beforehand to those who are meant to suffer for want of its having been known to them, it is a rule with me to keep it a dead secret, which I do by never troubling my head about the matter, till the moment I am called upon to declare it.

This is what your Judge says to all gainsayers; and by thus giving him full swing, not only do you increase your own power, but you save yourselves a world of trouble. On every account, therefore, let it be a rule with you, not to do, or attempt doing by your own hands, any thing that you can have done by his."

So says Matchless Constitution. Witness the whole tribe of Anti-codificationists—abhorrers of Codification: men who to stave-off that blessing, and keep that only source of security as much as possible from as many as possible, and for as long as possible, preach up and practise what they call consolidation—a work which, confining itself to the doing over again what has been done already, leaves at all times the field of law with as scanty a covering of really-existing and genuine law as possible, leaving as much as possible to the sham, and unknowable *succedaneum* made by judges, and progressing in such sort, that the world's last day, whenever it came, would find the work short of completion by a length absolutely immeasurable.

So much for Matchless Constitution. What as to this saith Bentham?

Give, (says he,*) to the whole of the political rule of action its full and adequate expression. Divide it into the General Code and the system of Particular Codes. So order matters, that in the hand of every individual to whom the art of reading is known, shall be placed acopy of the general code, and thereafter, as the need comes into existence, a copy of each particular code, the matter of which it concerns him to be acquainted with. This necessary work accomplished (nor let the accomplishment of it be delayed) punish, says he, for disobedience to commands so received by those to whom they are addressed; but punish no longer for disobedience to commands not only not received but not so much as conceived; not to speak of expression or utterance.

Thus saith Bentham. What saith Brougham? Just nothing. On the occasion of his proposed rules of procedure, or say adjective law, he assumes what he knows is not a fact; viz. the existence of a body of law to which the machinery of his bill is to give effect. And what does his silence say? That which all those who have gone before him have never ceased to say by the like silence. Make bricks without straw! Do that which is impossible! Do that which we have made impossible to you, or take the consequence. Not that while thus silent he has been idle: for by every word of this same bill of his, supposing

* 1. Papers on Codification and Public Instruction—2. Codification Proposal—3. Petition for Justice and Codification.

it passed into an Act, while adding to the existence, he will have been subtracting from the means of acquaintance with the chaos in the midst of which he builds.

Topic the Second, Accessibility of Justice. What says Matchless Constitution here? "Clearly (says she) the less accessible the better. Justice is a troublesome jade. The lower orders, when they fancy themselves oppressed, as many as can come at her, go and tell their story to her; she hears them, gives them encouragement, and makes them insolent. King, Lords, and Commons!—this must be prevented, or adieu to legitimacy. Hear then what I say to you; this is what you must do: Erect a temple with four fronts to it—Chancery, King's Bench, Common Pleas, Exchequer. Call it the Temple of Justice. In the Entrance Hall set up a throne, and on this throne seat Favour,—Goddess, Lady, Dame, Miss Favour, whatever be her style and title, you accoutre her in the costume of Justice, scales, weights, sword, bandage over eyes, and so forth. At her disposal, you place all the good things, that men are in use to apply to Justice for.

The temple erected, in the road which leads to it you set up a direction-post, with this inscription—"To the Temple of Justice." This done, between the temple and the post, you set up across the road a gate or bar; the key of it you give to learned Lords and Gentlemen.

There's for you, King, Lords, and Commons! This done, "every thing, (as Blackstone says) is as it should be." So many learned Lords and Gentlemen, (you need scarcely be told) so many natural and faithful allies are yours; so many co-operators, or sub-operators. Leave the matter entirely to them; sit quiet, don't you give yourselves any trouble, every body else, whose wants are worth considering, will get what he wants. This you will see.

Remember the toll-bar, and the key they have to it. They settle the matter among themselves; they appoint the toll-money; which, of course, they put into their own pockets. Now then, be the article taxed what it may, every tax is at the same time a prohibition—a tax to those who can pay, a prohibition to those who cannot. As to their business, priests as they are to Goddess Favour, it consists in hearing those who make application to her, thinking it is to Justice they are making it. Thus invested, two delightful things these same learned persons have at command-money (you see) and ease. So far as the toll is paid, what they get is money; so far as it is not paid, ease. The only unpleasant circumstance is, the more they have of the one good thing, the less they have of the other; still, however, the proportions are at their choice.

Nor, in this arrangement, King, Lords and Commons, are you forgotten. Obedience, active and passive, is what you get by it from every body; from the privileged and paying few, who are let in, and from the vast unprivileged and insolvent multitude, who are kept out: your's are both the one and the other, your's to do with as you please. This is what you look for at the hands of learned Lords and Gentlemen; and if here and there expectation fails you, never at their door lies the blame." Here ends Matchless Constitution's speech.

Inaccessibility of justice being the instrument thus employed, happy combination of depredation and oppression the effect, for the protection of which it has been constructed, and is exercised—now as to the causes by which it has been, and is produced. The principle, then, will be found referable to one or other of four heads.—1. Unintelligibility—2. Invisibility—3. Distance—4. Diversification: Unintelligibility of language; Invisibility of the judge, Distance of suitors' and witnesses' abodes from judgment-seat, and Differences of courses and forms of procedure, with sets of judges for carrying them on.

A few words for explanation: 1st, as to Unintelligibility. To unlearned men, of all sorts, the more unintelligible every thing is that is said, the more indispensable is the need of interpretation; of interpretation at the hands of learned gentlemen—paid for of course, and at their own price, is all such interpretation; and the more accomplished the unintelligibility, the more effectually and completely they have it in their power to sacrifice the interests of their clients to their own, without being known to do so.

2. Next as to Invisibility of the Judge.—Of the witnesses and parties themselves, the more he saw with his own eyes the less he would have a pretence for seeing through the eyes of learned gentlemen, of so many sorts and sizes, one behind another; profiting, every one of them, in proportion as suitors are deceived and impoverished.

3. Next as to the local Distance.—If courts of justice were so situated, and in such number, that every person whom it is of use the judge should see (those rendered too weak by youth, old age, or sickness, excepted), might, without ever passing elsewhere than at home the time requisite for repose, be present to his view, vast would be the proportion of the expense saved; vast the proportion of those, who (supposing the law intelligible) would be preserved from the expense of the so dear-bought assistance; considerable the check thus applied to the ever-operating treachery.

4. The fourth and last-mentioned cause of the inaccessi-

bility is called the Diversity of Courts; which, being interpreted, is—the employment of different sets of judges, with different forms of proceeding used by them and under them. On each occasion, the greater this diversity, the greater the desired unintelligibility. Supposing an all-comprehensive code established, there would be but one law-book; and idle—and that to a degree that never could be exemplified—would that judge be, who, to see how the law stood, could not turn to any part of that same book as well as to any other mode of coming at the arrangement made by the law as to the matter in question. So, as to each particular matter of fact in question, there can be but one best mode of coming at the truth in relation to it. By Bentham has this been said—and not said only, but demonstrated.* Nor is this a secret to Matchless Constitution.

"Be (says she accordingly) the number of these judicatories as great as possible; many of them with each a different set of law-books to apply to; all of them with each a mode more or less different, of coming at the truth, as aforesaid, or pretending to come at it." Thus saith Matchless Constitution—and thus accordingly it is. But what says Bentham?

1. As to expense, factitious expense (says he), let there be none. As to the natural and unavoidable expense, that part which belongs to all suits in common, throw it upon the public; take it off the shoulders of the relatively honest among suitors, who, when all the relief that can be given to them has been received by them, pay in vexation for that protection which persons, who have not fallen under the scourge, enjoy gratis; take it from the shoulders of the thus afflicted and throw it on the shoulders of the community at large.

And as to the expense peculiar to each suit, in so far as any party is unable to defray his part, let it be defrayed either by another or others of the parties, or by the public, in so far as such transference can be kept clear of fraud, according to the circumstances of the case.

2. As to intelligibility.—Away (says he), Away, altogether with the lawyer's dialect, alias the flash language. Over the whole field of law, not an idea is there which is not capable of receiving expression from words in familiar use; expression, apt and adequate, either directly, or through the medium of words of appropriate character; each of them expounded, by a phrase composed exclusively of words in familiar use: which words, with their explanations, he all along provides.

3. As to access to Judge:—unavoidable exceptions ex-

* See Petitions for Justice.

cepted, let no suit take its commencement otherwise than by the appearance of the demandant at the judgment-seat, stating, with the assistance of the judge if necessary, the subject-matter of his demand, and the grounds of it, in respect of law and in respect of fact; then, if the demand is entertained by the judge, let the proposed defendant or defendants, co-demandants if any, and witnesses on both sides, if any, attend; let them be confronted as far as needful; and so on till, law and fact being ascertained, judgment is pronounced and execution and effect given to it. And note (says he), the parable of Mahomet and the mountain. When suitor or witness cannot repair to judgment-seat, let judgment-seat and judge repair to suitor or to witness. Exceptions are, for example, bodily infirmity, mental infirmity (namely, by reason of under age, over age, or mental derangement), absence in foreign or other parts too distant to admit of personal attendance. Professional assistants—in case of necessity—in place of the party; otherwise, only in company with the party. Would you wish (says he), would you wish to have a case misrepresented, and a suit made out of nothing? Send in the hireling to tell the story, and keep out the party by whose presence misrepresentation would be kept in check.

4. As to local distance, establish judgment-seats (says he) as above; establish them in such situations, and thence in such number, that accessibility—universal and constant accessibility—may be the result. This, for word-of-mouth examination; where by distance this is rendered impracticable or preponderantly inconvenient—examination, in the epistolary mode (as under Matchless Constitution, in and by a bill in equity), must succeed; but of course clear of all factitious delays, and subject to eventual word-of-mouth re-examination for security against falsehood.

5. As to the diversity of forms of procedure, and of sets of judges for carrying them on, if there were a thousand of them (says he), away with them all but one. As to the matter of law, the aggregate quantity of it, be the bulk ever so great, in one and the same book it may be lodged; and, for looking at different parts of the same book, what need is there for different judges? Then, again, as to matter of fact in question. Be it what it may, we repeat, there cannot be more than one best way of coming at the truth of it. Employ half a dozen or a dozen different ways—all of them good; they cannot possibly be; they will probably be all of them bad. Of the diversities in jurisdiction, one main root lies in a state of things, which has place no longer; in the state of society in the days of primæval barbarism. Keep up in the same place half a dozen judica-

tories, each with a different logical field of service (as he phrases it); you have six perennial sources of unintelligibility and useless expense; send them into so many local judicatories, each carrying on the business in the same simple form of procedure as above, you save that same expense.

Thus saith, thus doth, Bentham. What saith, what doth, Brougham? He turns aside from Bentham's plan. He takes in hand Matchless Constitution's plan. Not sufficient for him is its maleficence—he adds to it,

1. Expensiveness.—To this he will be seen making boundless additions: but of these anon.

2. Unintelligibility.—He subtracts nothing from it, he adds considerably to it: as we shall show.

3. Inaccessibility of Judge to suitors by means of the forms of procedure.—He carefully preserves this in every case but that in which the judge appears in his character of Reconciler; in this character his project will be unmasked.

4. Inaccessibility of Judge to suitors and witnesses by reason of the extent of the Judicial Districts.—Here again he may be seen turning aside from Bentham's plan, and doing what depends upon him towards depriving the country of the benefit of it.

5. Different courses or forms of procedure, with correspondently different judicatories for carrying them on.—To these sources so fertile of unintelligibility, of misdecision, and of useless expense, he makes a rich addition. Eight and forty sorts of judges, more or less different, proceeding according to forms of procedure more or less different,* Bentham had already brought out, and held up to view; still without professing to have exhausted the stock. Rich, under this head, is the addition made by Brougham. It is true, there is but one sort of judge; but in this one may be seen a sort of Matthews, appearing in no fewer than five different characters, all new ones, under so many different names:—1. Judge in ordinary's own court. 2. Judge in ordinary's Small-debt court. 3. Judge in ordinary's Legacy court. 4. Judge in ordinary's Arbitration court. 5. Judge in ordinary's Reconcilement court:—in the several characters pretending to endeavour to come at the truth by so many different courses: in each character extorting—in each character contriving, in each managing, to extort—fees, not only for self, but also for company, in fell despite of the cup of infamy he had seen poured down upon the fee-gathering abomination, by the hand of the master from whose authority he has thus revolted.

* Petitions for Justice, No. 257.

On this Proteus of his invention, Judge in ordinary is the title he confers. But surely a more extraordinary character, has misapplied Ingenuity seldom been able to produce.

Curious—instructively curious—is this part of Brougham's plan. Mark well how tender he is of the precious interest of the dearly-beloved brotherhood to which he belongs, and to which he looks for support; not forgetting the particular interest, and indubitable wishes, of the right honourable adoptive father and patron of his measure. Mark, in this view, the Vauxhall ham-slices of jurisdiction carved out for his new judge; so careful is he not to lessen the abundance of their Common-Hall table—their Benjamin's mess. Look at the delicate slice shaved off for his judge, in his character of Small-debt judge: maximum 5*l.*—not a farthing more: 5*l.* 1*s.*, and all above carefully left for the palates and gullets of the superior authorities, whom he beheld sitting, napkin under chin, and trembling with horror of starvation. Thereupon comes the glaring and insincerity-betraying absurdity—in a suit of not more than 5*l.* value, truth searched or pretended to be searched for in one way;—in a suit of from 5*l.* 1*s.* to 50*l.* value, in a quite different way;—in a suit to the value of 100*l.* in another different way.

Nor is our learned manager's cupidity yet satiated. Upon an errand of a few pounds, power, and thereby directions, are given to his judge in ordinary, in more than one of his five characters, to send his unhappy suitors three hundred miles or so to Westminster-hall from Durham or Northumberland.

Nor, in the new feast thus provided by our learned jackal, were even his equity lions forgotten. When his judge of the north takes possession of his judgment-seat, among the powers he finds in it is one, under and by virtue of which the property of the suitors may be sent even to the Chancery den to be devoured.

In the plans of both Reformists the inaccessibility having for one of its causes local distance, a set of local judicatories constituted the remedy. But to both of them the necessity of limiting it to a measure of experiment in the first instance, instead of covering the whole field with them at once, was sufficiently visible. With any thing short of full assurance of success a covering so expensive is more than could be afforded. Little chance would then have been of covering the land with Justice courts, while yet the supply was incomplete of churches and palaces, for what are the claims of Justice to the claims of Church and King?

Bentham had come out with his scheme. Brougham took it in hand and took care to spoil it. Of the existing field let us begin (says Bentham) with the worst-covered part possible or

imaginable—the Equity Court part of it. So doing, we shall kill two birds with one stone. By means of the experiment, we shall rescue from the claws of the harpy the suitors who in such sad abundance are already lacerated; and, if our system is a good one, the goodness of it will, for a comparative trifle, have been made matter of demonstration.

Then, as to the place of the experiment, let it be in the metropolis—in the metropolis, and there alone; the expense will thus be minimized of the evidence, and the best, the most enlightened, and the most scrutinizing eye will give the greatest security that the nature of the case admits of, for the good conduct of the judge.

Thus saying, Bentham accordingly contents himself with one experimental judicatory, and places it in the metropolis. Seeing this, what does Brougham? He takes in hand two spots at once—one at one end of the kingdom, the other at the other;—neither of them in the metropolis: one of them at the greatest distance possible from that seat of searching scrutiny;—two counties—Durham and Northumberland—neither of them a very small one, being laid together for the purpose. Why this forced extension? Why—unless it be to make room for the whirligig which, in § 8, he has made for his judges, that while revolving through various justice-chambers in so many different towns one after another, a convenient quantity of needless delay may be manufactured in every one of them; and this, in addition to the quantity produced by the stoppage occasioned in the business of each one of Mr. Justice Proteus's five courts by the four sorts of business going on in turn in different ways in the four others.

Topic the third.—Judges sitting time.—What, as to this matter, says Matchless Constitution? "Sitting days (says she), sitting days in the year, the fewer the better; for the fewer the work-days the more the play-days. Sitting time, therefore, taking it in the aggregate, the less of it the better; provided always there be enough of it for the gathering in of the harvest of fees which the soil affords. For those, by whom, and consequently for whom the law as to these matters was made—two sweet things (as above observed) are desirable—fees and ease. Of the sum of the two how to maximize the quantity is the problem to be solved. Unfortunately, between the two, incompatibility, in but too large proportion, has place; and, within that range the more a man has of the one the less he will have of the other. Not that, in the present case more especially, the degree of incompatibility is so great as at first glance might be supposed. The less the quantity of sitting time in the year,

the greater the quantity of delay: but delay, though not the immediate, is the remote progenitor of fees; the genealogy is in this wise: delay begets incidents; incidents applications; applications fees: such is the case, be the sort of judicatory what it may. But in this new-invented,—in this five-fold judicatory,—it is so in a more particular degree. As the quantity of business-time is five-fold, so is the quantity of delay-time five-fold: from first to last, while the business of one court is going on, the business of the four others is at a stand.

"Moreover, though there is but one description of person by whom the business of judication can be performed, classes there are more than one, by whom, on pretence of judicature, extraction of fees can be performed; fee-getting classes two, of which, so far as consists in sitting in judgment, one only is also the class of fee-earners. Here then subordinate to, subservient to, the solution of the all-comprehensive problem just-mentioned comes in another problem—how to minimize the quantity of judicial sitting time in a year, without lessening the quantity and productiveness of the fee-gathering time? For solution, here there come in for employment several of the devices held up to view in the Petition for Justice, namely:—1. Parties excluded from judge's presence. 2. Written instruments when worse than useless necessitated; written instruments, which, neither in court nor out of court, has the judge the trouble of either hearing or looking at. 3. Delay (as above) in groundless and needless length necessitated. 4. Precipitation necessitated: for from precipitation come applications for time, and means of obviating the evils of which the precipitation would otherwise be productive. 5. Mechanical substituted to mental judicature; for by mechanical judicature is meant the effect of judicature produced without the trouble of thinking, and thence without the trouble of sitting in judicature on the part of the judge."

Thus saith, or at any rate thus doth, Matchless Constitution. What, as to this, saith Bentham? "Let not a day (says he)—no, nor an hour—be without its judge. Among all the days, or among all the hours, of the year, where will you find one in which injustice is not at her work. On which of them all should that work be left without disturbance? the judge all the while asleep; or with folded arms looking on; or looking another way, as if nothing had happened?"

And is this improvement impracticable? Not it, indeed. From this reproach his plan is completely clear: kept so by his judge-deputes. But learned gentlemen, the one class as well as the other, being but men, must have their relaxation time—the

professional class as well as the official, and those of the professional class cannot very well have their deputes. Must they have it, this same relaxation time? Be it so; each one just as much as he finds himself standing in need of, or as, on any account, it is agreeable to him to have; but, as it is for his own sake that he takes it, so let it be at his own expense, not at the expense of suitors—not to the detriment of justice—not for the increase of injustice. Let him, in this particular, do as medical men do. As medical men do?—Yes; for why should he be enabled to do by himself any better? But Matchless Constition, power not being wanting to her, gives to those whose ingenuity has applied itself to the manufacture of human misery, power for the augmenting in this way their own comfort at the expense of that of others; happily, neither does Matchless Constitution, nor can Nature herself, give this comfort to those whose business consists in the alleviation of human suffering in that other shape. Health will not stay for surgeon or physician. Justice, and whatever else goes by that name, can be made to stay, and accordingly is made to stay, for the professional lawyer as well as for the judge.

So much for Bentham. Now for Brougham. Careful observer, adopter, imitating-manufacturer, inventing-manufacturer of lawyers' profit and benefit in every shape, of people's burthen in every shape, he sets before him the above-mentioned great whirligig, he carves out from it two miniature whirligigs of the same figure, spick and span new. At his command, miniature judges make miniature progresses, in miniature circuits. How charming all this! For so many babes of green what a delightful baby-house!

Curious, in a degree altogether matchless, is the distribution made by him of the rations of business-time, among the places, to and through which his whirligig is to carry his judges.

Bentham, giving to each of the local judicatories of which his system is composed, a square of not more than twenty-four miles diameter, twelve miles radius, stations in it one judge; and to the disposable time of that one judge he consigns, without any exception, which on this occasion is worth mentioning, all sorts of suits; taking care that, of whatsoever quantity of assistance the need shall have been brought to view by experience, no part shall ever be wanting to his judge—other judges, in number at all times exactly adapting itself to the occasion—being provided under the name of judge-deputes: no judgment-seat being on any day of the year, more than another, empty. On every such seat thus established business of all sorts is thus going on at all times.

Under this head, then, what is the provision made by Brougham? Conceive it who can. Two sections—§ 2 and § 3—are employed in giving expression to it. One calendar month—the month of August—he allows for vacation time: remain eleven calendar months to be employed in business. Observe now how the business is to go on: say rather how it would stick: for go on it could not. Take for example his Kent district. The number of its towns to which he sends his judge is nine. Number of visits to be paid to them respectively in the course of the year, various; to one of them, four; to three of them, two a piece; to five others, no more than one a piece; total of visits in the year to all the towns together, fifteen: so that to no one of these unhappy five is the beatific vision of this minister of peace and justice to be vouchsafed oftener than the northernmost assize towns used to receive the visit of their pair of judges before the recent improvement; and within this fifteenth part of eleven months, in each of these five places, are, every year, to be begun and continued and ended, as many suits as, in the whole five of these judges' different courts, shall have been brought before him; for each of these five places, the number of days upon an average not more than eighteen or nineteen. Now, then, how is this to be? In one single one of these five courts; namely, the Ordinary Court, no fewer than forty-six days of delay are allowed any suitor who chooses to require them;* these forty-six regularly recurring and absolutely at command, besides an unlimited number of casual ones: all this before the suit comes on for trial. Thus are there three years at least that any suit may be made to last; and say, any one who can, how many more it may not be made to last.

But now, after opening his eyes to their utmost width, let the reader believe them if he can; all this, which is contained in § 3, notwithstanding, in and by § 2, it had already been ordained—ordained in so many words (say what they mean who can) "that the said judges shall hold their courts (meaning that each of the two judges he provides, one for each of the two districts, shall hold his court) once every month except the month of August;" in the compass of a twelvemonth not more than once every month of those same eleven months, making in the whole year eleven times of sitting. Sitting?—Yes. But for what? on what business? To this question, "for the trial of causes," is his answer. Now, then, what means this word trial? does it mean the whole business of the cause from beginning to end? or does it mean, as in the ordi-

* This by § 16, 17, 18.

nary acceptation of the words, trial by jury?—the trial part of the business and no other? But in no one of his five courts does this same species of trial, called jury trial, form any necessary part of the business: in the Ordinary Court (says § 25) it may be unemployed if the parties choose it should be so; in the Small Debt Court (says § 57) it is not employed unless the parties join in choosing that it be so; in the Legacy Court (so says § 70) it is not employed unless the judge chooses that it be so; in which case it is employed whether the parties will or no; and so likewise (says § 81) in the Arbitration Court, and in the Reconcilement Court it is not to be employed in any case; moreover, whether it be with or without a jury that the trial part of the business is to take place upon this plan, not so much as a day may happen to be left to have been previously employed in the infinitely protractible part with which, under his plan, as above-mentioned, as well as under Matchless Constitution's plan, jury trial is preceded. Once more, observe the confusion produced by the insertion of these five words; namely, "for the trial of causes." This same business, whatever it be, for which the judge is to hold a court once every month in each of the twelve, "except the month of August,"—is it in each suit the whole of the business, all parts of it as well as the trial part included? the trial part being in comparison of the special pleading part no more than a minute part of the whole. If so, then are these words "for the trial of causes" so much surplusage; and not mere surplusage, simply useless; but, as sources of insoluble doubts, so much worse than useless.

Is it that, when at the place in question, the judge has begun to sit on this or that day, he shall, or he may, continue to sit at that same place from day to day, till the day is come, for beginning to sit at another place? Meant or not meant, this is not what is said. Nor, supposing it meant, would the plan be rendered the more capable of being carried into practice; no, not so much as of being understood. From these two sections laid together, let any man (as in a treatise on book-keeping) frame to himself a figured, an imaginative, statement, of the business done, or to be done, in the aggregate of these nine sub-districts in the course of a year; the result (as he will find) will be, that no business at all can be gone through any where; for the supposition of business gone through in one, will be found inconsistent with the supposition of business gone through in another.

Out of smoke thus dense, is it possible for human ingenuity to draw out light sufficient for practice?

Topic the Fourth.—Mode of payment for judges and their subordinates. Enter Matchless Constitution.

"No fees, (says she) no justice. But for fees, no judge but as often as he sat himself down upon the Bench, would go to sleep on it. Clear as Fleet-ditch all this; and what is no less so, the more the fees the better the justice. Nor is the utmost stock, which he can lay hold of by his own hands sufficient; more he must gather up by the hands of his subordinates; by all their hands, were there as many of them as Briareus had, who, as every body knows had a hundred; and in this way, some judges have more. Yes, fee-gathering, by, and for judges is the only proper end of justice."

Exit Matchless Constitution. Enter Bentham. What says he? "What the syphilis has been to the body natural, the fee-gathering disease (says he) has been to Matchless Constitution, and her body fictitious: corruption of the foulest and most contagious kind, inoculated into her (as I have shewn*) by the hand of Poverty when in her cradle."

This Bentham had declared; this Bentham had demonstrated. By salary accordingly, (had he said) by salary, and in no other form whatever, pay the whole establishment, pay all judges, pay all functionaries, who are directed and placed by judges. Secure them no fees, but allow them to take bribes: communicated by a bribe, the taint is seen by every body; communicated by a fee, scarcely as yet, is it clearly seen by any body; so anxious, and so unhappily effectual, has been the care taken to conceal it, so closely shut against it, by authority-begotten prejudice, and custom-begotten prejudice, have been the eyes of the unreflecting multitude.

This had said Bentham; over and over again, had it been thrust into the very eyes of Brougham; what then has it profited him? Come and see. For judge's salary 1,500*l.* a year; and in addition, as far as 500*l.* out of fees. Registrar appointed by the king. Registar's salary 400*l.* a year with as far as 800*l.* a year out of fees. Clerk appointed by the Registrar, with 100*l.* salary, and another 100*l.* out of fees. Appointed moreover by the judge, two functionaries each under the name of Messenger and Usher, with 50*l.* salary; and as much as he himself, and the judge together, can contrive to get for him, under the name of fees. What is the consequence? To all persons who fall short of being able to pay the whole mass of these fees, justice denied—purposely and deliberately denied; and in proportionable quantity, the time of judges left at liberty to be employed in receiving fees from such as have them to give; and, for whatever period of time no such agreeable employment

* See Petition for Justice, Introduction, page 4.

offers itself, when the worst comes to the worst, be the precious remainder (says he) consecrated to ease.

But, in favour of these dear sweet things, which he cannot endure the thought that any body he has any regard for should be left to go without, the language contains one word, and out of this word our Solon makes an argument. It is the word *incentive;* a fee is a feather, with which, or he would fall asleep on the bench, the reverend palm must every now and then be tickled; thus far our Solon. Well, and suppose these are conceded to him, what would he be the better for it? In some cases the tickling instrument is to be applied, in others, it is not. Let him then make out two lists; one, of the cases in which the reverend offspring of his brain must be awake; another, of the cases, in which he may, in the words of Holy Writ "sleep on and take his rest."*

Topic the Fifth.—Special Pleading. On this subject, we must refer to Number XXII. of the Westminster Review, p. 455, which presents Matchless Constitution's Plan, and Bentham's Plan in one picture. All hail Special Pleading, quoth Matchless Constitution. Down with it in the mire, from which it never should have sprung, quoth Bentham. This and all other written pleadings pick-pocket lies—practiser of it, howsoever exalted, pick-pocket. *Chat un chat,* may it please your Lordship, *et toi un fripon.* And why is it, that he thus taunts them? Why? but that in that silence, which no one of them has ever broken, or will ever dare to break, it may be clear as noon-day to all eyes that are not wilfully shut against the light, that, in this silence, confession of all this life of guilt so enormous, is involved.

And who is he that thus treats them? Exists there a part of the civilized world, in which he is not known? And, in the midst of so many enemies, as he has made enemies as many as there are men who make profit of the vices of the law, has he ever, in what he has said of it, been convicted of so much as one material error, convicted, or so much as suspected, of so much as a single wilful misrepresentation?

And is it for any such pleasure as that of putting men in pain, that he thus deals with them? Is it for any other chance, than that of engaging them at length to join, or at any rate to acquiesce, in the indispensable change?

All this had Brougham before him; and with his eyes

* One of Matchless Constitution's richest inventions is this same fee-fund. It is among the practical fruits of this maxim—extinguish no nuisance, content yourself with setting bounds to the spread of it.

full open to it, into the filth of all this immorality had this Reformist the hardihood thus to endeavour to plunge the whole aggregate of suitors and lawyers of all sorts professing all the while the desire of avoidance of delay, vexation, and expense.

This for a debt which cannot amount to 5*l.* and may amount to not so many shillings: for different amounts, different sorts and sizes of this pick-pocket work: for this, one sort; for a debt of from 5*l.* to 50*l.*, though it be no more than 5*l.* 1*s.* another sort; for a debt of from a shilling to 100*l.* due on the score of legacy, a third sort;—each sort being, according to our learned Reformist, more conducive to justice than either of the other two is. Nor are claims to be suffered to be split, lest lord Tenterden and sir Nicholas (quondam Special-pleading-master sir Nicholas) should be deprived of their prey.

And in one of these same three Special-pleading Courts the pleadings are to be "short" (forsooth) "and plain" and "according to the truth of the facts." Oh! the hypocrisy! For who, on this occasion, can forbear being serious? Oh! the hypocrisy! and that so transparent!—as if, whether it were in margin or in text, saying that it shall be so would contribute anything towards causing it to be so; as if a word from a draughtsman could outweigh the pounds destined to be filched and extorted from the miserable suitors. And this shortness, plainness, and verity; in what cases was it ordered to have place? Where the question could not amount to more than 5*l*? Oh no—not there; only where it might amount to as high as 100*l.*

6. Topic the Sixth. Re-inquiries and Removals: these, by whatsoever name called—new trials; that is to say, certioraris—writs of error—appeals—re-hearings, and so forth. What says Matchless Constitution here? She bursts forth into an extacy: "oh! rare instruments (says she) oh! rare instruments for squeezing out the last drop of the hapless suitor's substance: Oh! the rich provision for inviting men to become dishonest, and share with learned lords and gentlemen the plunder of the appointed victim, and take—all to themselves and without deduction—the delights of vengeance or causeless malice!"

Now what says Bentham? One appeal in any sort of case; more than one in none. Re-inquiry, or call it repetitional or recapitulary hearing, at the option of any party on either side; or of the judge, in case of specified need, on the score of contradictiveness, or lengthiness, or entanglement, in the chain of evidence. At this second hearing assists a quasi jury; number the smallest odd one; thus small, that vexation may be minimized. Functions, and accordingly powers—ten or eleven distinguishable ones, the same as those of the judge, one alone

excepted—the imperative; to the end that the sense of responsibility may apply itself with undiminished pressure to the permanently official shoulders of that functionary: imperative mandate—in this case the decree, by which, when execution and effect have followed, termination has been given to the suit in the court above. At the hearing—grounds of argumentation—the record of what passed below. Contents of the record—not irrelevant facts—not pickpocket lies—vermin born in Matchless Constitution's skin—not any such excrementitious matter—but the evidence: the evidence on which the decree below was grounded: of the needful multiplication of exemplars, the case reduced to a comparative nothing; namely by the manifold mode of working.

"I will put my hook into his nose" saith the Lord in Holy Writ: in an allusion made to camel-driving. This passage is a prophecy: camels are lay-gents, drivers learned gentlemen. A master driver is the one we have before us. Surely never was exemplified reliance more absolute on our stupidity; contempt more profound for our understandings. Take for example his Arbitration court. Of all five man-traps this is the most curiously contrived—the most cruel one. Its yawning is wider too than any one of the others. First, as to value. Value not more than 5*l.* can our Small-debt court take cognizance of in the Ordinary court—in the Legacy court, not more than 100*l.* So, as to territory. Let him but appear in this one of his five characters, down go all the barriers by which his county, or his pair of counties are separated from all the several "adjacent counties." Part and parcel of Kent become Essex, Surrey, Sussex, and Middlesex; of Northumberland and Durham, York, Cumberland, and Westmoreland. Gown thrown off, a plain frock the costume in which the impostor now appears, personating a mercantile man or a country gentleman—anything but what he is: and now absolutely without limit is the value capable of being at stake upon the suit, in which, if with the help of learned brethren and attornies, for accomplices, aiders, and abettors, he can impose upon the credulity of a pair of honest applicants, or engage and enter into partnership with a dishonest one.

Judge of an Arbitration-court forsooth! A notable invention this; it must be confessed. Of an arbitrator so called what is the characteristic difference? What but the not being an official judge. For what is it that men of their own accord fly for into the arms of arbitrators. What but this, and this alone; namely, to escape from plunder at the hands of judges—judges *à la mode d'Angleterre*—their instruments and accomplices.

When this hitherto non-descript—this animal *sui generis*—stands up in court, and says, "I am an Arbitrator, down with your dust;" what does he but obtain, contrary to the statute made and provided, money on false pretences? To say I am an arbitrator: what is it but to say, I am not a judge: if for relief from judges hackneyed in iniquity, men were to cast themselves into the arms of this new-invented devourer, what would they do, but what the fish would do, if for relief from the frying-pan, he were to leap into a hotter part of it.

For in the whole course of his life is he under any such obligation as that of sitting in any one of the nine towns to hear any one of these same Reconcilement causes? Not he, indeed. For in § 96, no otherwise can any such Court of Reconcilement be holden, than "at a convenient hour (say the words of the bill) during or after the ordinary sittings of the said judge in each place within his county; notice being previously given thereof in some newspaper circulated in the said county." But this same convenient time, when will it be found? Not until the whole business of the five courts, which profess to be efficient, has been gone through, can any part of the business in this court, which does not so much as profess to be efficient, be taken in hand and begun; unless, indeed, for the accommodation of his learned brethren, it pleases Mr. Justice Proteus to swerve a point, for the purpose of letting in some suit, which, under the narrow limitations that have been seen, could not otherwise be let in; and for this the whole expanse of civil law cases, equity as well as common law, is rendered accessible.

Now for consistency. In § 100 (being the 6th of the seven Sections employed on the subject of the Reconcilement court) it is "enacted that when the parties appear before the judge in ordinary, he shall hear them state the matters of their respective claims, complaints or demands, and defenses or answers in the presence of each other, and shall give them his opinion and advice thereupon." This is in a court called a Reconcilement Court where application is made for reconcilement. But if this is conducive to justice in a court called a Reconcilement Court, what should make it otherwise, if what is asked for is justice—and that in a debt of not more than 5*l.*, or a debt of not more than 50*l.*, or a legacy of not more than 100*l.*, or in short any thing else? But if it is conducive to justice that the judge should in this way hear both parties together, how should it be less conducive were the suit to begin with his hearing no more than one of the parties in the first instance? for were this the mode, the consequence is, that on every suit in which upon his own shewing the demand on the plaintiff's side was ungrounded, the pro-

posed defendant would be preserved altogether from the trouble and expense of being placed in that vexatious situation.

There, gentle reader, there is a mystery. Now for a solution for you. It is a money-trap—this same Reconcilement court—a fee-trap and nothing else. Fee for party citing 3*s.* or 5*s.*; fee for party cited 2*s.* Without these fees, and the delays produced by the citation, no two parties, how desirous soever of reconcilement, would the judge see. And when the fees are caught would he see them? Not he; unless he hoped to be able to entrap them for the benefit of the learned fraternity, and as in § 100 he is authorized to do in a common law suit, or an equity suit. Not he, unless he can thus trepan them.

For presenting a faint conception of the perils which a pair of disputants would have to encounter, were they to suffer themselves to be inveigled into this trap, we must do what we can towards bringing to view the several reiterated hearings in all shapes, to which in consequence of its having been submitted to the cognizance of the judge in question, in his character of judge of the Arbitration court, it may happen to a suit to be subjected.

Note here, that if it be not in this same judicatory, but in another, that the hearing in question is to be performed, not the better for suitors will it be, but all the worse; for, in that case, not the sometimes remediable, but the absolutely irremediable, lengthiness—namely, that which has for its causes the still greater distance coupled with the greater length of vacations, and perhaps the greater weight of expense will be the grievance to the load of which they are subjected.

1. On the occasion of every such reference. In the first place, hearings in any number may be had, on so many different days. But if in four other courts the several matters of business will concur in opposing an insuperable bar to the sitting on this one suit, in uninterrupted succession, for and during the whole number of the days to which it may happen to be occupied by it, here arise interruptions; and with the exception of the first of them, so many days of re-hearing. But, so many days of rehearing, so many packets of fees for learned counsel and attornies respectively: and with or without the exception of the first day, so many fees to "messenger" or "extra-messenger," with fees to attorney for drawing, copying, and delivering notices, not to speak of other tricks capable of being played with it. And so many more of these days as the matter of the suit can be scattered into, so many more packets of fees.

This is but the beginning of sorrow. When of this home-

manufactory of delay the produce has been exhausted, up springs the judge, and, (says § 80), "if the judge himself shall think fit, upon a question raised by him," he sends the suit on its travels from Durham or Northumberland to Westminster Hall.* To Westminster Hall? Good. But to which of the shops? To which of them? why to the common-law shop, or to the equity shop, whichever it is the keepers of which are fortunate enough to possess the highest place in the good graces of this their learned customer. No such journey would a suit ever be sent by a pair of unlearned arbitrators. Here may be seen one use of our learned one.

On this same occasion a further contrivance is, the sending the same suit at any time, at the pleasure of his arbitration judge, to be born again, according to § 81. Well, and the birth-place—where is it to be? Where, but on the bench of this same judge, only with a different mask upon his face: and accordingly taking a quite different road for coming at the truth. Now, number, gentle reader, if you can, the stages the suit may have to travel.

1. Stage the first was that through which it went while he was carrying it in his arms with the Arbitration mask on his face.

2. Stage the second, is this through which he carries it when accoutred in his judge-in-ordinary's mask; and now, at the end of this stage is to be a jury. And the jury, under what direction is it to be? Of course, under that of this same judge—now styled judge-in-ordinary.

3, 4, and 5. But, now—suppose him not satisfied with the verdict. Why then (per § 81) he has but to say so, and a new trial takes place of course. But these things are not done in a hurry. For before a new trial can be granted, there must of course be a motion for the same; this makes one hearing: then

* Arbitration, in the state in which he found it, was a substitute to a law-suit; arbitration, in the state he puts it in, is but an introduction to that torment. True it is, that, by misconception or misconduct, on the part of referees or parties, an arbitration is but too often sent up to Westminster Hall: and, for opening to the guest—to the ever-welcome guest—the learned arms, no pretext was found too frivolous. But the only arms thus open to it were those of the common-law judges: a suit, carried on in common-law, was the worst punishment the parties could be made to suffer, for the offence of applying for justice to such hawkers and pedlars, instead of going for it at once to one of the great shops in the great bazaar of the great hall. For this so studious "avoider of delay, vexation, and expense," it was reserved to substitute to the intolerable delay, vexation, and in addition to the vexation of his arbitration suit, expense of a common-law suit, the still more intolerable expense of an equity suit, keeping all hearts for years and years drenched in anxiety and impoverishment.

there must be a day for opposing said motion; this makes two hearings: then if the motion is granted, comes new trial: and this makes three hearings.

6. New trial had, thereupon on goes the judge-arbitrator's mask; yet now comes in his hand—not a judgment, but the "award." But a party, knowing himself to be in the wrong, yet desirous of gaining time at any price, suppose that "he shall desire him (the judge) to state in his award," says § 81, "any direction to the jury, given by him in matter of law, or any decision upon admitting or rejecting any evidence before the jury, or any misdecision upon" (adds § 82); whatsoever was designed to follow the word "upon," being omitted, by slip of the pen or press. Suppose any thing of this, what then? Why then such direction or decision may at the instance of that same party or the other be brought before "any court of law," at the choice of this same judge.

The demand for notice presented by the course of virtual appeal thus established is irresistible.

1. Appeal the first: appeal, by the judge, in his character of arbitration-judge, to himself in his character of judge in ordinary.

2. Appeal the second: Appeal from himself in his character of judge in ordinary giving direction to a jury, to himself, in the character of judge in ordinary, sitting without a jury; namely, by motion for new trial.

3. Appeal by himself, from himself, to any one of the three Westminster-Hall common-law courts, or any other "court of law" at his pleasure: whatsoever be meant by "court of law." Who will buy a suit? he may cry. Who will buy a suit?—and the best bidder or bidders may be the buyer or buyers: only it must not be in money.

A goodly number of hearings this, each of them on one or more days. Reader! think you that this number is the whole? So far from being so, it is a repetend. For, in what case are the successive hearings to take place? Answer,—"if he (the Judge) think any part of the matter referred to him fit for being tried by a jury." But, because the grammatical number given to the word "any" is the singular; does it follow that no more than one part of the whole matter can have the benefit of this matchless mode of trial, should the number found to have need of it be ever so great? No, surely, like as to the quantity and variety of the matter capable of being submitted to arbitration there can be no limits, so neither to the multitude of mutually unconnected matters of fact to be decided on, on the occasion of this same reference, can there be any limits: as for example, if it be

a mutual account: and, these same facts having no reference to one another, and coming in question before the judge, at any distance of time that a time-gaining suitor pleases, as little can there be any limits to the number of successive juries, to which, with the same judge for director, it may not be requisite that they should be submitted. The intention of our learned draughtsman, could it have been any other than this? No, assuredly. For if it had been, would he have said, "any part of the matter referred?" No, not he!—he would have said simply "the matter referred," meaning the whole of it at once.

And, in point of reason, after any one part has had its trial, should any other part be found to have equal need of that advantage, can any reason be found for the refusal of it? All this in fair construction. And is learned construction likely to be behind-hand with this?—Learned construction, when put in motion by a *malâ fide* suitor, with a force of fees corresponding to a value at stake, to the amount of which, as above pointed out, there are no limits?

Nor is this all. For, (as per § 83) in the breasts of learned counsel on either side, suppose any such conception as that among the "matters and things" arbitrated upon by this our Daniel, there has been some "matter or thing" not referred to him? What then? Why then up from Durham or Northumberland to Westminster goes the suit, to receive the form of a motion for setting aside the award: just as if it had for its authors a pair of ever so completely unlearned referees. And should it be there and thus set aside, what is to be done with the suit? Say who can. And should it not be set aside, what is to be done with the suit? Say again who can.

Well, but this is not all; for (as per § 84) in favour of either suitor, suppose payment of money, or of service in kind, awarded, and performance divided into instalments: whereupon, in the instance of any one of such instalments, suppose payment not made accordingly. Well then, what then? Why, so many instances of performance not made, so many motions may be made: and thence as above, twice as many days of hearing about the causing it to be made. And such causation how may it be effected? Answer.—In some cases by execution; that is to say, by seizure and sale of goods, and transfer of the money to him who is entitled to receive it; in other cases, by attachment; that is to say by imprisonment, until the service ordered to be performed has been performed: which it may be either in money, or as above, in kind: for example, building up a wall or pulling one down, as in the case exemplified in the schedule to this bill.

Apropos of Motions; let it not be forgotten, that to a motion, and commonly to an opposition made to a motion, must be applied a quantity of affidavit-work for its support: and on each occasion come citations, and notices, and other pretty things, for which fees will be receivable; fees, to the exaction of none of which is any bar opposed, by any thing, which, in the schedule with all its providences, is enacted and provided about fees.

Topic the Seventh, Expense—What has Matchless Constitution done here?—Oh! she has not been idle.—Small Debts Courts, Courts of Requests, Courts of Conscience: synonymous appellations these for the few scattered spots, in which natural procedure has taken refuge, from the war made upon Justice by learned harpies, under the command of the dæmon of chicane. From Matchless Constitution, mercy or negligence had extracted, in the immense arid desert, here and there an oasis for the refugee. In some instances for a claim of 40*s.* in some for a claim even of 5*l.*, justice is to be had; the ground of the claim however being always carefully narrowed, limited to wit to the most simple and least lawyer's-profit-yielding species of debt—and the jurisdiction pared down as close as possible. So much as to delay and vexation; how stands the matter in regard to denial and sale? It is true, the price is reduced at which, in these small shops, the commodity is sold: still sold it is. A few shillings would pay the bill; true:—but to him who has not the shillings, as well might the price be reckoned by pounds, or by hundreds of pounds. All this while, small as is this boon, even when all the scraps it is composed of are put together, by what law was it granted? By the original Common Law? No, only by Statute Law; and that comparatively speaking of late years. By Common Law it could not have been conferred.

This same topic of Small-Debt Courts has been among the debateable matter in the high courts of Parliament. In honourable house, they were and are good things; for with each bill, the act being dubbed a private one, came in a bag of fees for Mr. Speaker and his clerks. But in most honourable house, they were and are bad things. For the Lord Chief Justice Lord Ellenborough, and after him the Lord Chief Justice Lord Tenterden, feel themselves robbed and injured, by every pair of suitors thus rescued from their gripe: and, as aristocracy feels itself wounded by every act, by which justice is vouchsafed to the lower orders, Lord Holland, once at least if not oftener, was seen lending a foot to Lord Ellenborough, when kicking a Small-Debt Court Bill out of the most honourable of houses.

So much for Matchless Constitution. What does Bentham? To sale he substitutes gift. He shuts up the Judge's shop,

He opens the Government office. He covers the whole field of law, with paternal procedure, with universally accessible justice. In what manner, Equity Despatch Court Bill shews.

Exit Bentham: Enter Brougham. Exit the Reformist, enter the Anti-reformist with the mask of a Reformer pressed however awkwardly to his face. Cheap and not to speak of unsold justice, unbelawyered justice, a weed so rank shall it, says he, be suffered to cumber the ground? Forbid it learning! forbid it regularity! out with the nuisance! out with it! Good, but a shovel is wanted: not a shovel hat, but a shovel maxim: a maxim for clearing the ground, not of sincerity or charity, but of justice. Behold it then! here it is! "Without a learned bar no good judicature." Volumes full there are of law maxims. This one is not as yet in the pot-pourri of these sweets: but it is high time it was.

The word is spoken! and Justice, proscribed and persecuted Justice, is to be hunted, as we shall see out of all her retreats.

There we have the maxim, shall we find the grounds of it? A learned bar! Bar-learning is to be sure a fine thing. But the use of it? To the present purpose what is the use of it? The use of it? says our Reformist. Why don't you see? it is to watch this judge of mine, and see that he behaves himself as he ought to do: what I want for this purpose, (need I tell you so?) is a set of men, to whom other people's interests are dearer than their own: and there I have them. So far our Reformist. Ingenious this contrivance; but rather more so than well-adapted. Set a thief to catch a thief—this we have heard—this saying is indeed a proverbial one: but, set a thief to watch a thief, this saying is new to the book of Proverbs.

For this security, such as it is, behold now the intended price. What but denial of justice, a denial certainly to nine tenths of the community in question, probably to not so little as ninety-nine-hundredths. Out of the thirteen millions of Englishmen, to more than twelve millions, who shall say to how many more? subjection to depredation and oppression—subjection, irremediable, so far as depends upon this pretended Reformist, purposely and deliberately prepared, provided and secured!

The Bar, meaning the learned strolling company, who are to act in it—the Bar being thus to be imported, calculate the admission price. Figures are not at command. No otherwise than by the rule of proportion can the result be presented to view. Genius of Euclid aid us! As the less lengthy and complicated course of the existing regular procedure is to the expense thereof, so will be the more lengthy and complicated

course of this new-invented quintuple judicatory procedure to the expense thereof, which is the quantity sought.*

Topic the eighth.—Nomography.—So much for sincerity of intention or (as Bentham would say)—so much for appropriate moral aptitude. Now (as he would continue), now for appropriate intellectual aptitude and active talent. Suppose a prize offered for whomever should produce the most unapt, the worst-drawn-bill producible. Reader, see and judge whether by this our learned Reformist's bill, the prize would not be won hollow.

Where to begin upon it is one difficulty. Where to end? This is another. Were this our learned Reformist to add to his collection of mutinizing professors one on the art and science of Nomography, this bill of the Founder's might serve the lecturer as a text-book.

Follow a few specimens taken hap-hazard.

1. One tolerably instructive sample has been given already; namely, the passage which has for its subject the division of the business between the circuits.

There may be seen Confusion organized; thence doubts, disagreements, with the so universally-resulting sweet and nutritious fruit, contentions and law-suits; hence, again, amendment bills upon amendment bills, beginning "whereas doubts have arisen;" amendment bills one upon another; Ossa upon Pelion; and, when the fulness of Sir Robert's time shall have been accomplished, Peelian consolidation bills.

2. Now for a spice or two of that sort of confusion which may be styled memorial. Where, for clearness, the singular number, and that alone should have been employed, the plural, is here and there added, and thus perplexity produced. Experimental judicatories instituted (as we have seen) two; one in and for a district constituted by a county close to the metropolis; the other, in a district far distant from the metropolis, composed of two counties laid together; in the justice-chamber of each, with uncontested and incontestible propriety, not more than

* Of pieces of business, of which no information has been above given under the head of Re-inquiries, &c., the following may serve as specimens. They are copied from the marginal contents of the bill:—1. Notice and inspection of documentary evidence, § 86.—2. Default and discontinuance in pleading, § 87.—3. Judge may give time, § 88.—4. Judge may order particulars, § 89.—5. Judge may allow double pleading, § 90.—6. Causes may be tried in private by consent of parties if the judge think fit, § 94. For each of these businesses will naturally be requisite a separate motion, and (be it remembered) by each motion will commonly, if not universally, be occupied parts of two different days.

one judge. In speaking of two sorts of judges, what, then, is the number in the grammatical sense of the word number that a draughtsman would have employed? We speak not here of a Bentham, it is even of the most ordinary draughtsman that we speak. Number, of course, the singular, *that*, and that alone. Supposing the sense of the plural number the sense meant to be conveyed, the indefinite pronoun *any* would every where, as is the constant practice, serve for the conveyance of it. What does Brougham? Sometimes it is the singular number alone that he employs; sometimes it is the plural number alone: sometimes it is both numbers. In this way it is that, what it is intended that each judge, in the district that belongs to him, shall do, is expressed sometimes as if in the judicatory in question, there were two judges and no more; sometimes as if there were some number greater than two, though what number is more than can be guessed at; just as it would be if a posse comitatus of judges,—indeterminate in number, as in the quarter sessions,—were all of them to join in doing it.*

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* Behold now the consequences in a short sample of them:—1. In § 12. Registrars (there is of course one to each district). So, clerks likewise are both of them to be sworn before one judge; instead of being sworn each before his own judge.*

2. In § 13. Option given to parties "to have it (the cause) tried before one or other of the said judges." But, in this section, the two judges have between them but one registrar;† and, before the section is at an end, the two judges are melted and consolidated into one.

3. In text and by § 15. One and the same cause is to "proceed before (with) the said judges;" they sitting consequently either both of them in the Kent district, or both of them in the Durham and Northumberland district at the same time.

4. In and by § 25, a case is mentioned in the character of a particular one; it is one in which the claim of the parties is, to have the cause tried "by only one of the said judges."

5. In and by § 29, another is mentioned in the character of a particular one; it is one in which all actions of a certain description "shall be tried by one of the said judges in whose court the same are brought."

6. In and by § 30, it is provided, "that each of the said judges shall issue his summons to the sheriff of the county or counties within which he hath jurisdiction; therefore (continues our legislator) the said sheriff shall cause to be summoned forty-eight persons, qualified by law to serve as jurymen, to attend at the time appointed for such sittings." Now for the result. By each of the two judges cause to be summoned jurors forty eight; by both together ninety-six; and thus are all of them to appear at the same time in two places, that is to say, somewhere in Kent, and somewhere either in Durham or Northumberland.

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* Not that the oath is of any more use than would be the three first lines of "God save the King."

† Clerk, the functionary, who in the Small Debt Court does the sort of business that the registrar does in the other four courts.

2. After trespassing thus by abuse of the plural, turn to the right about, and you may see him trespassing by abuse of the singular; employing the inadequate number alone, where, for adequate provision the plural would have been necessary. Not, however, in the diction does the fault lie here—not in the diction, but in the thought. Say rather in the want of thought. For a thought that, from first to last, ever enters into this learned lawyer's conception, is, that in a suit there can be, on either side, parties more than one. Such are the comprehensiveness and correctness of his views. Had it ever happened to him to peep into an Equity Court (not to that of a Common Law Court) he might have seen, on either side or on both sides, parties in any number; and though on the same side pulling and hauling different ways. This oversight is curious enough. Now for the consequences of it: the consequences, that is to say to the maker and his plan. This will be found to be of a mixt nature—good and bad. On the one hand, cases upon cases unprovided for, disputes upon disputes, motions upon motions. For prevention of the like disputes in future more need of amendment bills upon amendment bills, and, in process of time, of consolidation bills upon consolidation bills; so far, so good. On the other hand, from the very first amendment bill brought in on such ground, reputation could scarcely fail of receiving more or less damage; a flaw made, such as the least learned of other parliamentary bill-drawers would not have made: so far so bad.

Then we have scantiness, and for its consequence insufficiency. Behold now another case (and instances of it might be found in abundance) where redundance again enters, and (paradoxical as it may seem) brings with it this same consequence.

Take for example the passages, by which place is given to the ceremony called an Oath. To no such mischievous mummery does Bentham give employment;* but this by-the-bye. Of something or other to answer the purpose intended, or pretended to be answered, by this instrument—the necessity is however incontestable: without power to afford inducement for security, what would a judge be? Just what his new-born babe would be. But for investing with this power in particular this species of judge in particular, what need can there be of particular regulations on each particular occasion? Bentham has given, a list of the several particular powers which he regards as ne-

* Of the mountain of mischief this institution is continually throwing up, he has given a full and most appalling picture.—See Petitions for *Justice*, Divis. 5. Establishment of oaths, Mendacity necessitated.

cessary to every person acting with the mass of power belonging to the office of judge, and which he speaks of as being the elementary ingredients of that same compound: and this he has added, or if not he might have added, as an inseparable appendage to it. An enactment to this effect is of the number of those, which, if needful in any one part of the field of law, are no less so in every other.* But if, in each judicial-power-conferring bill, or if in any one such bill an express clause is necessary, why not make one and the same clause serve once for all? What demand, what use, can there be, for enactments more than one?

Now then how is this managed by our learned draughtsman? Occasions, on which mention of an oath is made by him, 14: of these 14, number on which this power is given, 9; viz. § 8, 11, 20 or 23, 39 or 56, 57, 72, 88: of those on which it is not given, 5; viz. § 12, 13, 40, 67, 78. Now then, to the validity of the whole examination; this enactment—is it necessary or unnecessary? If unnecessary it is no better than an incumbrance; if necessary, then mind the consequence: null and void is the proceeding; unemployable the mass of evidence elicited; thrown away the labour and expense employed in the elicitation. At any rate, where it suits a learned counsel's purpose that it should be so, fees are the argument then put into his hands, for proving it to be so.

More nullity. To affirmation (Quaker's affirmation) extending the flaw just indicated in relation to Oath. Office flaws then, per § 93. Where a non-Quaker is compellable to make oath, a Quaker is not compellable to make affirmation: authorised? yes; but authorization is permission only, compulsion it is not, it is not more than half way to it.

In § 92, in case of perjury, provision is made for prosecution "at the expense of the county." But, under the words in question, to a Quaker this prosecution clause does not apply. "Examined on oath," say the words; and on oath no Quaker has been examined. Now mind the result. A perjury-punishing clause is a penal one; and "a penal clause must be construed strictly," says the law maxim universally-received and acted-upon. You must not act according to the meaning of the law, as you would were it a civil one; the judge is to twist words one way, our legislature twists them the contrary way; the judge to save the guilty, our legislature to punish the not guilty. More talk

* Sir Robert, in one or more of his Consolidation Acts, has inserted a few particular and unconnected provisions of this stamp. Bentham, in his Pannomion, in and by the nomographical part, will give an all-comprehensive one.

about perjury; more confusion; more business-making; more matter for learned argumentation.

In and by § 91, a person, who, by the supposition has not taken any oath at all, is to be deemed to have taken a false one; he is to "be deemed guilty of wilful and corrupt perjury;" he is of course to be punished, and to that end prosecuted, accordingly. Such is to be the fate of every Quaker, by whom any "false affirmation" has been made: that is to say, in the matter of whose statement anything shall have been found that is not strictly true: as to wilfulness and corruptness, these are qualities, the existence of which our learned legislator bids his judge take for granted; proof would give too much trouble: evil-consciousness, heedlessness, blamelessness, states of the mind, are things between which he knows no difference: at any rate, none that is worth attending to.

"Shall be punishable as for perjury," is what would of course have been written by a man, in whose mind no predilection for falsehood had place; but, with learned gentlemen is, that falsehood under the name of fiction is necessary to justice, and accordingly, no occasion, in which a colour of usefulness can be daubed upon it, is to be let pass unimproved.

Sole non-oath-taking sect, on this occasion mentioned—the Quakers. But, another of which, for the purpose of relief, notice has been taken by statute law, is that of Moravians; nor perhaps are these two the only ones. A Moravian (suppose) comes upon the carpet: What is to be done with him?

More confusion: confusion of functions. 1. In and by § 79, the judge is "to hear the said matter" (no matter which) and not the judge himself, but his registrar it is, that "shall appoint (it is said) a time, when the said judge shall hear it."

2. By § 24 and 86. In case of dispute, not the judge but the registrar is to determine where the cause is to be tried: in many a case no trivial question this.

Judge king, registrar vice-roy over him: such, on these occasions, is the relation between these two functionaries.

Judge inclined (suppose) one way; registrar another; thence strife. War in these celestial regions. Judge pleads spirit, registrar, letter of the law. Which shall "have it?" Whichever of the two, the superior to whom it belongs to judge, may please to give it to. Special good matter for mandamus-work: amusement for lord Tenterden.

Not less pre-eminent is he in defectiveness than in redundance. In each of his five different systems of regular procedure bewitched, is squeezed into the compass of two or three pages, a quantity of matter, which, to make for contingencies a pro-

vision equal to the imperfect one which is to be seen in the existing "books of practice" as they are called, would require more space than what the whole bill occupies.

Compare these sets of disjointed fragments with the attorney's "books of practice" in the several Westminster-hall courts: for each court two thick and small-printed volumes.

Now for a confusion-crowning clause. [*Finis coronat opus.*] This clause should have stood last. Scene opens, and discovers his Ordinaryship sitting in three new characters at once. And "be it enacted" (says § 4) "and be it enacted, that the said judges in ordinary shall be empowered in all matters to act as, and shall be justices of the peace for the county or counties for which they shall be appointed judges in ordinary, and for the counties adjoining thereunto, and shall be in the commissions of oyer and terminer, and gaol delivery, which may from time to time be issued for the county or counties in which they are appointed judges in ordinary."

There are three additional sorts of judicial situations: what is to be done in them? Of the powers attached to them what are the uses intended to be made? What are the businesses they are to be applied to? the businesses of the new Quintuple court, and those alone? or in addition to these, the respective businesses of the three several courts, the powers of which are thus thrown into the five-fold hotch-pot? In a word—will it be lawful for a judge in ordinary to take his seat, successively or simultaneously, on a quarter-sessions bench, on an oyer-and-terminer bench, and on a gaol-delivery bench? At any rate here are three more masks for the judge, to add to the five above mentioned.

This thickening has been reserved to the last. Had the place occupied by it in the bill been the place by which the order or the mention here made of it was determined, an additional thickening might have been given, to a degree of opacity, by which assuredly no increase was needed.

To conclude, in regard to the fate of the bill, the course we should be best pleased to see taken, (need it be mentioned?) is expressed in three words, "throw it out!" But lest this should be too much, too good, to be made true; and as under Matchless Constitution, by the head givers of good gifts, one thing may be done as well as another; we would, in the interest of the public service, and in compensation to the parties concerned, suggest that a Bill be brought into honourable House, by the leader of the Whigs, to be taken up and supported by the leader of the Tories, to the following effect:—

"Whereas it is expedient, that the pecuniary desire of the

right hon. Sir Robert Peel, baronet, one of his majesty's principal Secretaries of State, and Henry Brougham, esq. one of his majesty's counsel learned in the law; the one of money in the shape of a temporal benefit, the other of money in the shape of the advowson and patronage thereof, should receive full satisfaction," then would follow according to precedents too numerous, and well known to need to be here repeated, an enactment that a sum to and for the said right hon. Sir Robert Peel, 0,000*l.* per annum, and to and for the said Henry Brougham, 0,000*l.*, at the expense of "the people of this Realm," be paid out of the taxes. The blank left for the significant figure immediately preceding the few cyphers being left to be by them regularly filled up in the Committee.

In moving the amendment, the honourable and learned gentleman would of course make a speech declaratory and proclamatory of his disinterestedness, as also of that of his right honourable collaborator, for which purpose without further expense of words, he will find models in sundry previous speeches of his own, which will also serve *mutatis mutandis* for his right honourable collaborator.

As to the significant figure to be inserted, whether it be one, or so on as far as nine, Mr. Hume would of course be upon his legs to cut it down as low as possible. But so as by means of it the bill could be made to pass, the number could scarcely be too large. Nett savings and benefits would be the following:—1. Preserving the inhabitants of the three united countries from being caught and ruined in traps set for them, as above by these suitor-catchers:—2. Annihilating the obstacle opposed to real reform, by the exposure of this sham reform:—3. Preserving every plan of real reform from the imputation of being a second part of the same tune, of the tune struck up by the exposed Reformer.

There is in the Edinburgh Review, No. 102, an exhibition which to every thing we could ourselves have said on the same subject, will be a most advantageous substitute. It is a morceau of autography, and a most admirable one. Henry Brougham painted by himself.

'There is another far less justifiable obstacle to improvement, and a far more powerful one, in the constant interest of professional men to maintain profitable abuses. Their views are pointed towards their own gains; and, therefore, against the best and most obvious interest of those to whom justice is due. The suitor cannot have it too cheap, too speedy, too easy. The lawyer cannot sell it too dear, too dilatory, too vexatious. His influence and his gains depend on the trouble, the delay, the expense to which the suitors are put for

the recovery or the defence of their rights. He is, therefore, the habitual and the unshrinking defender of things as they are, and the vehement and unscrupulous enemy of all change; save, peradventure, some change that may add to the cost and the vexation already accumulated by the labours of his predecessors. Unhappily he is as powerful as he is strenuous in his resistance to improvement. He, and he only, is well armed with the knowledge of the subject in its details, so essential to successful attack or defence of existing abuses. He can deny and assert at pleasure,—can find mistakes in his assailant's arguments, and detect, or, if he find them not, can invent, errors in his statements of fact,—can perplex the subject by involving it in unfathomable darkness and inextricable confusion,—and confound his less learned adversary by the variety of his confident assertions, and the undaunted front with which he brings them forward. In prosecuting this unequal warfare his address is equal to his boldness; and both arise from his just confidence in his ample resources. He begins with a dangerous frankness, by admitting that there appear to be evils, and that the complaints made wear an external aspect of justice. But he undertakes to demonstrate their gross exaggeration.'—*Edinburgh Review*, No. CII, pp. 483-4.

There is a passage in the same article respecting Mr. Bentham, which demands a word or two. We give it as it stands.

'By the disuse of such local tribunals, and by a thousand artifices and abuses which have crept into the administration of the system, the English have at length arrived at their present state,—nearly the worst in which any country can stand. They have all the defects, and inaccuracies, and irreconcileable incongruities of a jurisprudence formed for a perfectly different people and country, partially and clumsily adapted to the altered state of things; and they have, moreover, all the mischief which could be inflicted upon them by the arts and industry of those whose interests could only be consulted by dropping almost all that the original constitution of the system had of good and natural, and by adding much of evil peculiar to our own times and country. The people suffer and the craft gains by the evils of both the old and the new order of things, without the advantages natural to either.

'To enumerate, even generally and superficially, the results of this, as they are every day experienced by the people, would be to perform, inadequately and feebly, a task upon which the learning and the genius of Mr. Bentham have been exhausted. To his masterhand we owe a picture, which, for depth of colouring and vigour of design, has no match; it is the greatest service ever rendered to the country which he adorns, by any of her political philosophers; and its contemplation has produced, as sooner or later it was certain to produce, the resolute determination of the ablest statesmen to clean out the Augean stable, whose recesses he has laid open, and upon

whose accumulated nuisances his powerful hand has directed the river to roll.'—*Edinburgh Review*, No. CII, pp. 481-2.

We can understand the desire to soften, or to weaken the attacks of the great jurisconsult on this pet production of the learned gentleman, especially after the challenge given by Mr. Bentham to Mr. Brougham, to a public written discussion of the merits of their respective bills. Whatever influence that desire may have had on Mr. Bentham's course,—ours has neither been arrested nor turned aside. And we must add, that, to read what has just been read, who would not think, after so much as Bentham had said of the evil, that he had added nothing as to the remedy. But, silence is not annihilation. In the pages of Mr. Bentham the genuine remedy speaks for itself, and we have endeavoured to transfer it to our own, and have done this by bringing forward in simultaneous and parallel view the genuine and the counterfeit.

A word at parting to Matchless Constitution. That matchless fiction so long grounded upon—so quietly and generally grounded upon—as if it were a reality; grounded upon in argument; grounded upon in practice; this source of all the burthens with which we are afflicted, and under which we groan, so continually referred to and trumpeted forth as if it were the sole source of all the benefits we are permitted to enjoy, we are yet tolerated in the possession of.

Matchless Constitution! Ample indeed are the justifications which the fiction affords to the doers of wrong—but where is the protection it lends to the sufferers from wrong? Its mighty instrumentality for the infliction of evil is obvious—why can it not be resorted to as a source of remedy?

To a call made for money by sham representatives would not a proper answer be given by sham payment? by draughts upon the pump at Aldgate?

Votes extorted by compulsion, and expressive of insincerity, how long shall they continue to exercise all the influence of genuine and honest opinion?

How much longer will the people be content to act in the character of dupes? to be duped out of their money, their respect, and their obedience?

Is there any price that would be too high to pay for liberation from such thraldom? The absolutism of one would it not be a less devastating tyranny than the absolutism of a hundred thousand? Not to speak of the government of France,—the government of Denmark, would it not be an advantageous substitute to the Matchless Constitution of England? A monarch may have fits

of generosity, of kindness, of sympathy at any time; an aristocracy never; satiated with money may a monarch be at any time; an aristocracy never.

It was our purpose, on this occasion, to have glanced over Mr. Brougham's Parliamentary History—and to have shown how little worthy that history has rendered this remarkable man of the confidence and good opinion of the community. We cannot now afford space for detail, yet we dare not quit the subject without recording, that Mr. Brougham has met every project for a thorough parliamentary reform with the most active hostility. When Sir Francis Burdett brought in his bill to make the House of Commons in reality, what it pretends to be, Mr. Brougham took the business of the Tories and the Corruptionists off their hands, and headed the opposition to the claims of the people.

Odious, of course, to the Tories is every mode of representation which is any thing better than an imposition. To Whigs still more so. The fate of the motion was to be anticipated. Tories, Whigs, Lawyers, Established Priesthood—parties these, to the perpetual alliance, the Holy Alliance, offensive and defensive, against the people.

The Charity Commission, again, is a job meriting a specific exposure. Fine fees for lawyers—superb salaries for the creatures of ministers—rich patronage for ministers themselves! The expenses—the evils of the commission are manifold—of good it is wholly barren. In salaries it has cost the country already 166,580*l.* 10*s.* 3½*d.* Its annual average of expense is 14,000*l.* It has set in action, three and forty law-suits, on which 1,550*l.* 17*s.* has been already expended, and had on the 22nd of May 1829, placed at the disposal of the Chancellor 7,886*l.* 6*s.* 6*d.* The distinctions between blame and negligence—between dishonesty and inattention—the application of the secondary principle, which Mr. Bentham calls the "non-disappointment principle," and which ought to come into operation, wherever not controlled by the primary principle, "the greatest happiness," seem to have been wholly lost sight of. It has been argued that if such a commission cannot correct past, it will at all events prevent future abuses; which is just to say, that the experience of impunity for past breaches of trust is the true security against future breaches. And what was the instrument of redress proposed? What! but the Court of Chancery—was Mr. Brougham ignorant of that which every lawyer knows? The Court of Chancery, forsooth, for prompt, and cheap, and effectual redress! The commission has been sitting for these twelve years; and what has been effected, except the gentle transfer of an enormous sum from the pockets of "the most thinking people," to

ART. XIII.—*The Mussulman.* By R. R. Madden, Author of Travels in Turkey, Egypt, Nubia and Palestine. Colburn and Bentley. London. 1830. 3 vols.

2. *Narrative of a Tour through some parts of the Turkish Empire.* By John Fuller, Esq. London. John Murray. 1830. 8vo.

3. *The Armenians.* By C. Macfarlane, Author of Travels in Turkey. Saunders and Otley. 3 vols. post 8vo.

4. *Voyages en Orient, enterpris par ordre du Gouvernement Français, de l'année* 1821 *à l'année* 1829. Par V. Fontanier, ancien élève de l'Ecole Normale, membre de la Société de Geographie. (Turquie d'Asie). Paris. 1829.

IT is singular to witness the unanimity of all these authors on the subject of the Turks. Four very different individuals, proceeding in different routes, at times not entirely coincident, of various views and professions, all agree, nearly to a shade, in their estimate of the Turkish character—in their opinion of its government; in short, in their contempt and disgust for the Mussulman, both in his public and private condition. Mr. Madden travelled extensively as a physician, and he is a person of information and intelligence. Mr. Fuller is one of those numerous Englishmen who, under the influence of the wandering spirit, for which our countrymen are famous, could not rest quietly in his bed without having penetrated the Golden Horn, and made an attempt upon the second Cataracts of the Nile. Possessing good sense, leisure, curiosity, and the spirit of enterprise, joined with the high moral qualities which usually distinguish the more enlightened classes of Englishmen, his report may be relied upon for its fidelity, and will amuse by its great variety. We are ignorant of Mr. Macfarlane's object in visiting Turkey, unless it was book-making: if he did really go to Constantinople to make a book, in truth he succeeded in making a large one, and the article is not a bad one. "The Armenians," which we have placed at the head of this Article, is far inferior to his travels, simply because, though a person of observation, and a good reporter, he is utterly deficient in all the qualities of the imagination which go to form a novelist. Mr. Fontanier is a young man, who, like most of those brought up in the excellent establishment of which he proclaims himself to have been a pupil, has been educated for a traveller; that is to say, he has been made conversant with all those branches of knowledge on which the happiness of society ultimately turns, and which, in comparing different nations, it is necessary to estimate. We perceive no deficiency in his classical informa-

tion, but his information does not end there, like the finished scholars of our great institutions: he is a geologist and a geographer; he is acquainted with the history of modern Europe, understands the nature of laws and government; he is a political economist and a calculator; and, in addition, understands his own language thoroughly, and can write in the style of a man who has studied its vernacular composition. We are not sure that his Latin style is Ciceronian, and he never alludes to his practice in *capping* verses: probably copies of Virgilian verse were not peremptorily required of the students of the Ecole Normale. When he commenced his voyages he was a very young man, and his appointments from the ministry that employed him never exceeded £200 per annum. If the business of education were decently done in England, how many of the graduates of our Universities, capable of spending three times that sum, and who have rushed into foreign countries with laudable eagerness, have there been, who might have employed their time with similar advantage to themselves and their countrymen.

Mr. Madden has put his notions of Asiatic manners and Turkish character in the form of a romance, and when the fidelity of the artist can be depended upon, the method is not a bad one. Mr. Fuller and Mr. Fontanier record real anecdotes. Mr. Madden has generalized his experience, and endowed it upon imaginary persons. Both plans have their advantages. We prefer the truth, and like to take upon ourselves the task of generalization; but when we find both done to our hands, and both in full accordance with each other, we cannot complain at the absence of trouble. For readers in general the novel is the readier and more impressive scheme of producing the desired result. We will give a sketch from this picture of Turkish manners; and if our space allowed us we would give a commentary upon it from the more matter-of-fact writers before us, who very remarkably confirm the justice of Mr. Madden's representations of Turkish sentiments and ways of living and acting.

'Suleyman, the Aga of Bournarbashi, was the legal oppressor of a district embracing in its confines the plain of Troy. Among the rayahs who were the more ordinary subjects of his injustice, were a Greek and his wife, named Michelaki and Eminin; they were Greeks of the Fanaal, whom some change of fortune had thrown from wealth and luxury to poverty and privation. His wife was beautiful, and the Aga was a connoisseur. The fleet was constantly wanting sailors, and the order to draft off Michelaki was quickly conceived and executed, for the Greek would take no warning, he trusted to the protection of

the *Pania*, the sweet Madonna (and he kissed her image as he spoke); and in company with some thoughtless countrymen spent the time in which he might have made his escape in talking of the valour of Leonidas, Scanderbeg, Achilles, and other contemporary heroes, and drowning all future care in soul-inspiriting Cyprus. As the eyes of the merry rayahs borrowed sparkles from the glass, one might have imagined that the seven champions of Christendom were assembled in a convivial Areopagus, rehearsing their astonishing achievements. But Michelaki vaunted exploits which bore down all competition: he had overreached Grand Viziers who were Locmans for wisdom; he had led Pachas of three tails by the nose, who had ability to cheat Jews; he had slain fourteen Turks with his own hand in the last revolution in Roumelia; and he had seen the sweating pillar in the Mosque of San Sophia, and had even collected a small vial of the miraculous exudation, which had the power of curing every mortal malady.'—Vol. i. p. 7.

After singing Hellenic songs in praise of freedom all night, Michelaki and his companions were hurried off before the Aga, where their prostrations served them in little stead. The Aga informed the terrified Greeks that "the Sultan (may his glory never diminish) permitted even rayahs, in the abundance of his mercy, to fight by the side of the true-believing," and they were suffered to range under the shadow of the sacred San Sàk (the prophet's inexpressibles). "But," said the Aga, "if any of the poor Infidels have domestic affairs, which stand in the way of their honourable employment in the fleet, God forbid they should be compelled to go. Min Allah! not for five hundred piastres would I send away the poorest rayah of them all." The hint was understood, but only one poor Greek could avail himself of it. He left his wife in pawn at the Aga's Khan for 300 piastres he had agreed to pay for his liberation, and went home for the money.

'In Turkey, the bowels of the earth are the banking-houses of the people, consequently panics are less frequent than in the countries of Franguestan, for nothing short of an earthquake can shake the old firm, the original fountain of capital. At any period perhaps it would be difficult to find one half the bullion of the empire, above the surface of the soil. Deep beneath, the treasures are deposited, which no coffer on the earth would be strong enough to preserve from the rapacity of the rulers of the land. The little Greek no sooner reached his dwelling, than he commenced digging up his garden in twenty places, in order, had he been watched, to throw his observers on a wrong scent; and finally, with a heavy heart, he visited the real sepulchre of his soul, ravaged the interior of an old saucepan, and disinterred a handful of sequins. Having counted out three hundred piastres, he secreted the remainder in the lining of his unmentionables, and proceeded to the Divan. There he paid down

the hard cash in the presence of the Aga; but no sooner was the stipulated sum paid than the Aga gave way to ungovernable wrath, "Allah Akbar Mahomet rassar Allah!" he exclaimed, "there is but one God, and Mahomet is his prophet; three hundred piastres indeed! giaour kafir, pessavink, scoundrel of an unbelieving dog, will three hundred piastres pay my poor soldiers for fatiguing themselves to death to find a substitute for you? Whose dog are you, who dares to laugh at my beard?"—"Noble Effendi," exclaimed the Greek, "and very best of governors, I am your dog, I am your servant, the most abject of your slaves; take pity on my poverty, my family are without bread, we are utterly destitute. God sees my misery; indeed I have not another piastre in the wide world."—"Count down two hundred more," cried the Aga, "and fifty besides, for the lies you have uttered; do it instantly, or undergo the punishment your cursed obstinacy deserves." The poor wretch protested, according to custom, that if a para could save his father's soul from the devil he had it not; that if it pleased his lord, the best of governors, to order his servant's body to be flogged into a jelly, the servant of his excellency could not help it, he could not command a single asper to save his flesh; and as he was a religious Greek he called every saint in the calender to witness his utter destitution.

The Aga looked at one of his soldiers: a stranger could have observed no visible gesture, no external sign, no waving of the hand, no motion of the lips, but in the twinkling of an eye, the Greek was capsized, his legs fastened in a noose, attached to a long stick held by two brawny Arnaouts, and a couple of *ferashes*, stationed at either side, with well-seasoned sticks, which instantly fell on the bare soles of the unfortunate rayah. The stripes were inflicted with terrible velocity, and each resounded as it fell, and notwithstanding the screams of the sufferer, were even audible to his wretched wife, who was stationed at the door. "Iman Effendi! Iman Effendi!" followed every blow, "take pity on me, Sir! take pity on me!" but the cry was disregarded, the blood streamed from the ancles, but the sight made no pause in the torture. The Aga continued to smoke his water-pipe with the imperturbable indifference becoming his high place; it was only when two hundred and fifty blows had been laid on, that he waved his hand, and the exhausted executioners had leisure to wipe the perspiration from their brows. "Now, giaour" said the Aga "are you disposed to pay the remainder of your just and lawful debt."—"Best of governors!" cried the culprit, raising his head from the ground, "I am a dead man, but money I have none—Heaven knows the truth, would I have my feet mangled as they are if I had wherewithal to purchase mercy?" —"Since you are so very poor, life is of no value, then down with the dog," he continued addressing the executioners. "Vras, vras! kill, kill! let him have a thousand lashes!" The consternation of the Greek, was great but his love of money was still greater. The number of stripes now ordered to be inflicted, generally proves fatal, in fact, nine out of ten of those who receive above eight hundred die. Again the

bastinado was resumed, upwards of a hundred blows more were inflicted, the shrieks of the poor wretch became gradually indistinct; at length they ceased altogether, and he no longer writhed under the blows; there was no effusion of blood, except where the noose which secured the legs, lacerated the skin; but the feet presented the appearance of tumid masses of livid flesh, streaked here and there with blue and crimson. "Enough!" said the governor, "let us hear if he still persists in refusing to pay his debts; raise the infidel, and let him answer." One of the Albanians accordingly endeavoured to rouse him with a blow over the stomach, which would have been fatal in any other country, but people in Turkey take more killing than even an Hibernian could imagine. The Aga prevented a repetition of the blows; the soldiers grumbled as they laid down their bludgeons. Whoever has witnessed the punishment of the bastinado must have observed that the operation is generally commenced with coolness; but as the fatigue of the officers of justice augments, the fury of their passion is let loose on the victim, whose crime they are most probably unacquainted with, and when the last blow is given, it is sure to be the heaviest, and to be accompanied with a malediction on the father and mother of the wretch they have beaten. Now whether Jack Ketch feels any personal animosity against his clients we know not; but we never saw a school-boy flogged where passion did not add to the gravamen of the pedagogue's last stripe. The Greek either was or appeared to be insensible. The Aga concluded he had no more money, he therefore ordered him to be thrown out of doors, a ceremony which was performed in the most unceremonious, way imaginable. He lay motionless as a corpse till the soldiers of the best of governors were out of sight. He then contrived to get upon his legs and hobbled home much faster than could have been expected, exulting in the greatest triumph a Greek can achieve, the heroical endurance of the bastinado in order to preserve his purse.'—Vol. i. p. 17.

This picture is in a novel, but it is not more highly-coloured than others in the Travels. M. Fontanier himself was on the point of being submitted to the tender mercies of the *ferashes*, in consequence of a dispute with his camel-driver, who happened to be a Mussulman: the cadi, however, was civil, and only fined him when he began to talk of firmans and Stamboul: a cadi must, however, have his prey — he therefore pocketed the damages and flogged the plaintiff. And yet, with all this ready and arbitrary distribution of the bastinado, the French traveller prefers the practice of the stick to that of the knout. He approached Turkey by way of Russia, and appears thoroughly disgusted with the official oppression and open corruption of the authorities of the distant provinces of the Russian Tzar. It must be bad indeed to be worse than Turkey, where Justice instead of being represented blind, and bearing scales, should

be emblematized with a purse in one hand and a *ferash* in the other.

Michelaki not having been so provident as the tailor, was obliged to go to service: his wife and child were taken into the khan, and the Aga commenced the foul practices which ultimately drove the poor Greek lady to madness and flight. The father was met on his return from service, and lest his inquiries might prove disagreeable, a faithful and obsequious agent disposed of him, by procuring his committal to the bagnio for two years. The boy was adopted by the Aga, and as in Turkey the child of adoption ("the child of the soul") is sacred, and frequently more loved than the proper offspring, the lot of the young Mourad was fortunate. His Greek origin was forgotten, and he became an exemplary Mussulman under the instruction and example of Suleyman Aga, who was himself the model of a Turkish gentleman. This is his portrait.

'Suleyman was in his fortieth year—a grave, silent personage—therefore a wise man: a slow-paced biped, with a solemn aspect and imperturbable deportment—therefore a dignified Effendi: and haughty withal—therefore, of an exalted station. That he was a rapacious governor was no reproach to his character; the fault lay in the office, not the officer: rapacity is indispensable to every Aga. He had many excellent traits in his character, but, as in all sublunary things there is a mixture of good and evil, the Aga had a few of the prevailing vices of his countrymen. His virtues, however, were better known to the world; he was a tolerable spouse and a decent sire, a good master and a strict Mussulman. He did not drink wine, like other Moslems, in public: he doubted not the propriety of stoning a sufi for scepticism, of plundering a rayah for infidelity, and of exterminating the whole race of Sciotes for their heterodox opinions. His ablutions were the most perfect of any in the district; the intonation of his Allah Akbar was the most sonorous in the mosque, and his abstinence in the Ramazan was the theme of the neighbouring Imams: but he had one little defect, which predominated over many others, and that was sensuality. He was not, moreover, remarkably particular about the means of gratifying his prevailing passion; the removal of any impediment gave little uneasiness to his conscience.' —Vol. i. p. 22.

Such was the Aga: his victim Michelaki was in the mean time wearing out the period of forced labour in conjunction with a Dervish, who subsequently plays a part in the drama of the Mussulman. The couple are characteristic of their respective races; it is curious to see how many different phases roguery can take; not that Michelaki is any more of a rogue than the rest of his countrymen.

'It was Michelaki's fate to be chained to a Dervish, an itinerant astrologer, who read the planets which preside [illegible] mortals,

and described "the skiey influences," to the gaping multitude. But skilled as he was in the heavenly sciences, his supernatural knowledge availed him little in the arsenal, where he was sentenced to ten years imprisonment, and doomed to receive more stripes for his laziness than any individual within the walls who had only followed terrestrial avocations. The crime of the dervish was one of great magnitude, of more than common turpitude, otherwise the disgrace of chaining a true believer to an infidel would not have been his punishment. He was accused of corrupting the morals of a whole harem by his diabolical charms, and of robbing a venerable Ulema, an aged doctor of theology and law, of a considerable sum of money, and of five and twenty commentaries of the Koran, of his own composition, which had occupied him five and twenty years, and were well worth five and twenty purses. Dervish Ali was fortunate to escape with his head, and to have been sentenced to no worse punishment than ten years hard labour. He was about five and thirty: his black bushy hair hanging over his shoulders gave an air of wildness to his person, while his brawny limbs and expanded chest showed the strength of his frame and the vigour of his constitution. The strong lineaments of passion were written in his countenance; but his studies, or his affected inspiration, gave a certain abstraction to his look, which redeemed the sensual character of his full black eye, his broad aquiline nose, and sphynx-shaped lips. In short, Dervish Ali had that bold combination of slothful features becoming and almost peculiar to a "magnifique lazzarone." Michelaki and the dervish being inseparable, it is to be presumed they were on the best terms. The same policy which compels individuals setting out on a long voyage to be courteous and conciliating to their fellow passengers, from whose society they have no escape, made a virtue of the same necessity in the case of Michelaki and his companion. A chain of three feet long, and a good humoured man at either extremity, attachment becomes a bounden duty, a sort of Siamese compact is involuntarily entered into; and Ali and his friend the Greek became united in the closest bonds of friendship. But besides the physical inducement to agree well together there was also a moral motive. Michelaki loved rum, and so did the dervish, and "that was sympathy." There was but one source of contention which occasionally mingled bitterness with the cup of fellowship. The Mahometan monk was cursed with that constitutional laziness which characterizes his fraternity in every part of the globe. He had so long lived on the bounty of Providence, or rather on the credulity of fools, that to work for his bread with the sweat of his brow appeared to him an intolerable hardship.

'The Chiaous, who was the deputy of the taskmaster, never fixed his eyes upon the poor dervish but he found him idle; carrying, perhaps, one log of wood upon his brawny shoulders, when Michelaki was bearing five, or gazing on the stars and cursing the Ulema when his industrious companion was piling balls and bomb-shells. The result was, that his attention was very frequently drawn off the heavenly bodies by the stripe of a courbash; but unfortunately Michelaki came in for a portion of the punishment which was meant for his associate. "How in the name of San Dimitri is it," said Michelaki to him one day, "that so

vigorous a man as you are can prefer to be beaten ten times a day to the performance of a task which a weak man like myself accomplishes without difficulty?

'"Michelaki," replied the dervish, "your mind is not enlightened, therefore you speak like a fool. Can he who devotes his life to God, bestow his strength on worldly occupations? Can he who converses with the stars carry logs of wood on his shoulders? Can he who controls the influence of the unpropitious planets break his back in piling cannon-balls? No, no: I can stick daggers in my flesh for the glory of Allah! —behold my arms: I can sear my skin with red hot irons to edify a congregation—regard my breast: I can slash my legs with a naked sword at a procession, to gain an approving smile from a well-known lattice—examine my limbs: but to work like a dog, to sweat under a burthen, to degrade one's nerves and sinews by manual labour—*Min Allah.* Heaven forbid! better to be beaten—better almost to die, than to work."'—Vol. i. p. 51.

As the term of the Greek's confinement arrives before that of the dervish, these dear friends of necessity part. Michelaki returns to Bournabashi to claim his wife: at the khan of Suleyman he is treated with all possible courtesy, but in lieu of his wife and child, is presented with a cup of coffee—the most approved Turkish mode of disposing of a troublesome visiter.

His son Mourad arriving at boyhood, accidentally learns the history of his parents: and he is informed that his adopted father was the murderer of his father, and the persecutor of his mother even to madness, and, as is supposed, death. Neither Turk nor Greek are slow to conceive sentiments of revenge, but in this case the Greek blood that ran in the veins of the young Mussulman enabled him to lay his plans with more cunning than falls to the lot of Turkish brains, and to adhere to them with Greek tenacity. The rest of the story is a development of his projects for procuring vengeance. They are eminently successful, though they involve his own destruction, and though part of them are brought about by fatal chance. The course of events carries the hero from Bournabashi to Candia, thence to Egypt, and back to Constantinople. His first victim is Achmet, the Aga's instrument, whom he decoys into some ruined caverns on the plain of Troy, and stabs in the back. He then proceeds to Candia, where Achmet was a tax-collector, and robs the dead miser's treasure by means of a forged will. Suleyman himself he has the malignant satisfaction of frightening to death in a fit of illness, by alarming his conscience, and to his son Yussuf he communicates the plague, of which he himself dies. In Egypt he becomes a favourite with the Pacha, and is employed as the principal agent of the atrocious massacre of the Mamelukes, an Egyptian *coup d'état.* The rise of Mahomet Ali is minutely

traced, and is founded on information gained on the spot. These chapters form a good biographical sketch of the "liberal tyrant." The Turks are brutal every where; but Turks in prison must be especially so: a Turkish gaoler's treatment of the plague is painted with great force by the author of the Mussulman; and the whole of the sad narration is told in the very spirit of Defoe. It forms the closing scene in the life of Mourad.

'The gaoler of the Bagnio grumbled a curse on the head of the prosecutor who sent him such a prisoner within his walls. He made some difficulty in admitting him; but when he heard the name of the lieutenant of the chief executioner, all his scruples vanished; the fear of engendering a plague in the prison was nothing to the apprehension of losing the favour of the executioner.

'Poor Mourad was carried to a dungeon, in which eighteen wretches were confined, crowded together in a room about thirty feet square, many without a mat to lay their bones on, or a rag to cover their naked limbs; some were chained to the walls, others to their comrades. They were of different countries, confined for different crimes; they had only one thing in common, that was misery. Mourad had been in a state of insensibility, from the moment of his removal from the khan to that of his arrival in the prison. He now lay extended on his back, his eyes fixed constantly on the ceiling, all the excitement of fever in his features, without its glow; all the anxiety of a deadly malady in his countenance, without the power of giving utterance to his distress. The feeble pulse, and laboured breathing of a strangled circulation, proclaimed the nature of his disease to the hakhim who visited the prison, while the leaden cheek, and livid lip, and glaring eye, left little doubt on the minds of his fellow-prisoners, that the sick man's disorder was the plague. But the consternation of the poor wretches was at its height, when the unequivocal symptoms of the disease manifested themselves, when the plague-spot glowed in the pale flesh, and the purple streak extended from it to the place where the poison was concentrated. The sufferer still lay without sense or motion, the oppression of the disorder had prostrated the strength of nature, and vitality struggled unequally and ineffectually with the despotism of death's prime minister. But on the second day of his abode in that place of wretchedness, the torpor of the mind diminished; he gazed at the miserable objects who surrounded him, he listened to the clanking of their chains, he repeated their imprecations, he tossed to and fro, and, like him who was "smote with sore boils from the sole of his foot unto his crown," he cursed his day, "for the arrows of the Almighty were within him, the poison whereof drinketh up the spirit." The leaden hue of his features now assumed a crimson tint; his eyes became blood-shot; he clenched his fingers, and muttered incessantly to himself; and at nightfall the fury of his delirium was at its height. He screamed for water till his parched tongue clove to his palate; but there was none to give him. He asked in the name of the prophet, for one blessed drop

to cool his burning mouth; but he asked in vain. He called on the God of Islam, to let the dew of heaven moisten his baked lip; but his prayer was drowned in the imprecations of the wretches whose rest he interfered with. In his frenzy, he crawled from the ground, dashed his aching head against the wall, and groaned with agony. All night long his lamentable howl was heard, and in the morning he was found on the damp pavement, disfigured with blood, and the remnant of his tattered garments in his grasp. It was a sad spectacle; even the wretches whose hearts were familiar with atrocity, and accustomed to misery in all its horrid shapes, pitied their unfortunate fellow-prisoner, and assisted to carry him back to the mat he had quitted in the night.'

* * * *

'The patient appeared much more tranquil during the day, but the delirium returned at the same hour precisely it had set in the preceding night; but his attendant watched over him, and frequently gave him to drink, and in the morning, though the violence of his disorder was unabated, it was unaccompanied by the extreme exhaustion of the day before.

'But the morning was ushered in with a scene of horror in the dungeon, which turned the blood cold of every wretched being within its walls, whose senses were yet alive to the terror of the doom that awaited him. Moans and lamentations were heard in every corner of the dungeon; seven of its inmates were infected with the plague; the groans of the sick were mingled with the cries of those who were reserved for a later death, of the two, the fate of the latter was the worst; for the horrors they had to witness rendered life more appalling than the tomb. They knocked at the door of their dungeon, and besought the gaoler to let them forth; they supplicated to be taken from the place of terror; they prayed, they wept, they beat the door like madmen, and when the gaoler inquired into the cause of their clamour, and was told the plague was raging in the crowded dungeon, they were told the plague must end in the place where it commenced, and till it did, no human being should cross the threshold.

'No language can give an adequate idea of the despair of the poor wretches; they tore their garments, flung themselves on the floor, and filled the dungeon with their cries. Every time their miserable pittance of bread and water was put through the wicket, the same appalling scene took place; and when night came, four of the poor wretches more were added to the sick.

'A melancholy night it was as ever passed over the heads of human beings; nothing was heard but piteous moans and frenzied shrieks, the cries of the parched throat, and the ravings of the burning brain, and all the theme was water, water! No man dreamed of assisting his companion, his own individual pangs, whether those of pain or terror, absorbed his thoughts; the supplications of the sick were drowned in curses, hideous laughter was occasionally mingled with the shrieks of pain; and the small shrill voice of mortal anguish was heard at intervals during the night, followed by the inarticulate accents of the low thick muttering of madness.'

'When the morning dawned on the walls of the prison, and some feeble rays found a passage to the dungeon, through the narrow aperture in the door, which was called a window, a sorry sight presented itself to view; the floor was covered with extended bodies; hideous gestures disfigured the limbs of others; exhaustion had suspended the faculties of many, their sufferings—no! they slumbered, but even in their sleep they writhed in anguish. Three of them slept well—they breathed no more; and noisome animals were already crawling over their remains.

'It was noon before a wretch was stirring, and when the sufferers did awake, it was to the renewal of all the horrors of the preceding day; before sunset, nine other devoted beings were marked for death; their mien was ghastly as that of their companions,—the hand and seal of fate was on their foreheads. From this time the closeness of the dungeon every hour became more dreadful; the pestiferous breath of the surviving was mingled with the effluvia from the dead, and the empoisoned exhalation was condensed on the damp walls, and was seen trickling down in drops of poison to the ground. Days passed over, and the pestilence raged with increased fury; "the hand of the Most High was out-stretched, and the people were smote, and they were cut off from the earth." Victim followed victim with terrible rapidity, and in nine days five miserable men only were in existence. Surrounded by the loathsome bodies of their companions, they breathed, but that was all; their looks were inanimate as those of their dead comrades; their eyes were sunken, their cheeks were hollow, their tongues were swollen, their black baked lips were streaked with gore, their aspects were horrible to one another.

'Mourad was one of the unfortunate survivors; the poor man who attended on him at the commencement of the disorder, paid him unremitting attention, but he was at length attacked; and, like the sick Machaon, he needed the help he gave another.

'For the last three days the wretched Mourad was left destitute of sustenance; the water jar was in sight, but not within his reach; his hand many a time was extended towards it, his dim eye was riveted on it, he attempted to rise, but it was a hopeless effort. He uttered no complaint; the voice of lamentation was no longer heard in the dungeon, the silence of death was there; want was present, but the stillness of inanition prevailed; and if a sound was heard, it was the name of Allah, or the feeble moan which the death-pang wrung from the sufferer. Another morning sent its rays through the grated window of the dungeon; another dawn lit up the chamber of death, and presented the livid mass of mortality which reeked around to the eyes of the surviving sufferers. But it was the last which was ever to send its light to Mourad—it was the final day of life's long misery—it was the farewell beam to his dejected visage, and it shone upon him as if its parting light was meant to bless him.

'Sunset came, and he still was living; the rays of another morning broke upon his features, but they were fixed for ever; its beams played over his lips, but they moved no more; its light fell on his lids, but the orbs beneath were wrapped in darkness; its heat struck on his breast,

but the heart it held was cold as ice. There lay the remains of the once buoyant Mourad, the earthly tenement of his daring, the mortal coil of pride and passion. No one stood over his corpse to recall his crimes, no weeping friend was there to soften down the obloquy they had incurred. But if there were none to palliate his faults, there still were none to revive his errors; there were none to exaggerate or extenuate his crimes —none to say his depravity was unredeemed by a single virtue; and none to make allowance for the controlling influence of a vicious education, directed in after-life by the tide of circumstances, perhaps no less than by the current of the passions.

'Death might well stumble in the dungeon of the Bagnio, like the dim-sighted camel of Aad; the victims of his tyranny were thickly scattered around, horror was accumulated on horror, and when the monster in human shape who kept his fellow men immured in that terrible dungeon till the poison of the putrid atmosphere found its way through the prison, opened the doors, two miserable beings were in life, and when they were dragged forth one poor wretch died on the threshold.

'The disease extended no further. The prudent conduct of the gaoler was represented to the Sultan; his highness began to entertain some hopes of carrying his plans of reform into effect: this was the first attempt at quarantine; it was an European custom, and as it worked well, it was one of the great reforms to which Turkey was to owe her regeneration. The noise of it even reached the country of the Frangis. The British statesmen hailed the auspicious omen as an indication of energy in the Porte: the resolution of the Sultan was praised, and that highly too, and the prime-minister of the Giaours talked of the carcases of Thrace becoming a phœnix, out of whose ashes the triumphant crescent was to rise, and expressed a hope of soon congratulating Christianity on the event."

Truly the Christian powers have but little understood the mode of treatment applicable to the encamped barbarians of the Hellespont. The utter contempt entertained by them of the Infidel is well known: ignorance is the heartiest of all despisers, and the ignorance of the Turk is only equalled by his stupidity. To reason with a Turkish authority is time lost, for he contemns the speaker, and cannot comprehend what he says; if a purpose is to be carried with an individual of this kind, he must be dealt with according to his understanding: the Turk feels the force only of money and blows. The most curious feature of the intercourse between the Europeans and these people is, that the former consent to be taken at the Turkish valuation, and appear content. The meanest of the Turks thinks himself, observes M. Fontanier, a far more important personage than the first potentate of Europe; and such is the force of the prejudice, that the few who think differently would not dare to give utterance to their opinion. An ample confirmation of what is here advanced may be found in the reception given to the agents of the different ambassadors, through whom all negotiations pass.

'See them slip with all humility into the anti-chambers of the ministers with whom they have business, and there put on the yellow slippers, and await their pleasure among a parcel of insolent attendants. And should they succeed in getting admitted, watch the satisfaction of their countenances when they are permitted to sit down, or when, on a lucky day, the singular honour is done them of offering a pipe and cup of coffee; frequently they refuse the favour, and hope, by this act of humility, to succeed in their demands. Should they be charged to communicate a message somewhat strong, what artifice in their language, what roundabout forms, what oratorical precautions, how they lament the misery of their position, which obliges them to sentiments in which they have no share! With all which they are far from escaping always without abuse. "You weary me." "You are dogs, Infidels." "That is enough." "Well, well." "Hold your tongue." "If you do not cease I will have your ears cut off." Such are the answers to the representatives of our ambassadors, which the interpreters, so far from resenting, consider as the privileges of the Porte."—Fontanier, *Constantinople*, p. 71.

'The Reis Effendi, that is the chief of the sailors, a servant of the Grand Vizier, charged with European affairs, announced one day that he was not pleased with the principal interpreter of the French embassy, and he would transact no business with him. In consequence all communication with the authorities was suspended for a month. It is not to be supposed that such practices take place by order of the Grand Seigneur—far from commanding them, he does not give a moment's thought to European affairs, and he would be strangely surprised to learn that Europeans took such an interest in his. None of his servants would dare to inform him of such insolence. The Grand Vizier himself pays but little attention to them; his time is fully occupied with the care of preserving his place, and managing his kingdom."—*Fontanier*, p. 72.

However, far from being discouraged, far from being irritated by this silence and obstinacy, the European cabinets never cease sending their eternal notes. No spectacle can be more curious than the incessant arrival and departure of couriers and diplomatic agents at and from Constantinople, producing no other earthly effect than in the counting-houses of the merchants, delighted to have so charming an opportunity of receiving and answering letters. The indolence of the seraglio is a fatal barrier against all the elaborate paragraphs of the European cabinets; the best-combined projects, the most forcible representations, the most pompous solemn declaration of the rights of the sovereign, of their dissatisfaction, of their duty, and their humanity, all sink unnoticed and unhonoured in that "slough of despond." Not so the "untoward" argument used by Admiral Codrington in the bay of Navarino—that demanded no dirty aid from slavish and slippered interpreters.

We have lately heard a good deal of the adoption of the European discipline in the Turkish armies; the aptitude for such changes among the Turks, ever willing to do their best, may be estimated by such anecdotes as the following, and they are far from being uncommon:—

'The former Capitan Pacha, now Seraskier-Khosroe, who had had a good deal of intercourse with Europeans during his last unfortunate campaign in the Archipelago, took into his pay one Gaillard, who had been a serjeant in the French army, and had employed him to exercise his regular troops. An officer arrived, who hoped to be permitted to assist in teaching the new discipline, who was commissioned to manœuvre the new battalion raised by the successor of Khosroe. He in the first instance formed magnificent plans of administration and regulation; he very soon, however, learned that he was required to confine himself to simple evolutions, and then had not the happiness of pleasing his chief. One day after the review of his troop, he called the officer to him and said, "You are playing with me, Sir. I pay you 200 piastres a month more than Khosroe gives Gaillard, and all you teach my troops is neither more nor less than what he teaches his; I want something new; I am tired of seeing men drawn up into two files, always executing the same movements. I, who am no soldier, will shew you something better than that." On this, the admiral took off his long robe, seized a musket, and then, causing the drum to beat, marching quick or slow according to the movements of the drum, he ranged his troop in round, in square, in oval, and triangle, thinking at each manœuvre he had made discovery in the art of war. After he had done, he called upon the officer for his approbation, and asked him how many days it would still require to perfect the troop in their manœuvres. "Three months," answered he; "if, then, you dogs of Christians have need of three months of study, then, thanks to our holy religion, true believers ought to learn as much in fifteen days: so see if you can succeed in this interval; in that time I have to review my troops before the Grand Seigneur, and in that case, if you remain and I am not happy enough to gain his approbation, I will chastise you properly." The officer could not accept these conditions, and very properly demanded his dismission.' —*Fontanier*, p. 76.

Yussuf, the Aga's son, upon whom the vengeance of Mourad last falls, and that undesignedly, has a taste, almost peculiar to the Mussulman—it is the taste for blood, shed under the law. The chief executioner's, all over Turkey, is an office of great authority: Yussuf fortunately marries the daughter of the officer who fills this dignified post at Smyrna, and he ultimately succeeds to the responsible post of assistant-executioner at Constantinople. Among other traits in the Mussulman, detailed with acuteness, is the taste for blood engendered in a country, where executions are frequent, and moreover not disgraceful to any of the parties. The distinguishing charac-

teristic of a superior mind in both agent and patient is coolness; by the excessive and unceasing eagerness displayed by Yussuf in his first operation, he previously disgusts his father-in-law, in whom no one has ever detected an emotion, either of anger or pity. This character may appear overstrained, and perhaps unnatural to those unfamiliar with the reports of travellers in that country. M. Fontanier in particular confirms the novelist as to the relish with which executions are looked upon by Turkish spectators.

'I have seen but too many executions in Turkey, and I cannot describe the indifference with which they are witnessed. Is a head to be cut off, the spectators look on with the same carelessness that they would on a sheep being killed; they are even ready with their advice as to the mode of doing it with the most grave address. While I was at Tossia, a Christian, who had stabbed a Turk, was impaled. In order to undergo this horrid punishment, the culprit was laid on his belly, and a morsel of wood, sharpened to a point, was thrust into his entrails. The *cawas* held him down while one of them, with repeated blows of a mallet, drove in the wood. A carpenter who was present found fault with the manner in which the executioner acquitted himself of his task, and offered to replace him. When the thing was done, the wood was stuck into a place prepared for it, and the sufferer remained with his feet about two feet above the ground. This was an exceedingly amusing spectacle for the children. They provided themselves with stones, and showered them upon the unhappy malefactor; in this instance, however, they abstained from the ordinary practice of taking small knives, and digging them into the body.'—Fontanier, *Turquie*, p. 27.

"O father could you not let me kill both," cries Yussuf, with eagerness to the chief executioner of Smyrna, after that functionary had condescendingly promised him one victim of two Christians ordered for execution, on which to flesh the virgin sword of his hopeful son-in-law.

'"Oh, father could not you let me kill both; if I do the first business to your satisfaction, you might as well grant me the favour of suffering me to slay the second unbeliever (cursed be his father's beard!)"

'"Ah, my son," replied the executioner, "did I not warn you against the common foible of our profession, that of getting into a passion with the victim, even before he is beheld. You are likewise too impatient; I told you never to be flurried when you approached the place of execution, and yet the moment we arrive at it, your eyes are gleaming like two red suns when the wind is coming from the east, and your fingers are playing with your own neck, as if it was that of your mortal enemy."

'"Excuse me, father," said Yussuf, "I confess I was somewhat absent, I was thinking of Mourad. Trust to my discretion, I will endeavour to behave as becomes the son-in-law of the chief executioner."

'By this time they had reached "the place of blood," where a

numerous crowd of the true believers, of both sexes, were assembled to enjoy the spectacle of two unbelievers being put to death.

'The guilt, moreover, of the culprits was of that appalling nature that put all sympathy aside, and rendered the exultation of the fair spectators especially, more loud than usual.

'The crime of the rayahs was blasphemy; they had been heard, in a fit of drunkenness, talking irreverently of the Sacred Sanjak; reviling both the prophet, and the remnant of the unmentionables, which forms the banner of the faithful.

'The two culprits had in vain protested their innocence before the Cadi; a single voice, and that of a disreputable man, but a Moslem, prevailed against their lives. Yussuf took his station, the culprits were not yet on the spot, but they were seen at no great distance, two of the executioner's servants to each, running the pale wretch at a quick pace, and then dragging him by the girdle, as he shrunk at his approach to the place of terror. Each had his head uncovered, and his neck bared; and as Yussuf, regardless of the injunctions of his father-in-law brandished his naked scymitar before the eyes of the appalled victims, each palpitating wretch stammered out the futile word, "Imaur's, Imaur's!" It is said, the drowning grasp at straws, it may be so, we have heard dying wretches ask "mercy" of a moslem.

'There was a deep glow on the cheek of the young executioner; as he bared his right arm, his heart beat high, he had already entwined his fingers in the tufted hair of one of his victims, his soul was almost satisfied, when suddenly the trembling wretch cried out in a loud voice, "Allah illah! Allah, akbar Mahomet rasur allah! There is no God but one God, and Mahomet is his prophet!" The other infidel repeated the same words.

'The sword of Yussuf was uplifted when he heard these dreadful words; the fury of a demon raged in his regard, at the probability of being robbed of his vitim. "Down on your knees dog of an unbeliever," he exclaimed, "down cursed infidel, when I tell you;" and with these words, pushing the resisting criminal on his knees, he was in the act of striking the fatal blow, when there was a general buzz amongst the rabble, a loud cry of "stop, stop!" "They have made the profession of faith, they have become true believers, away with them to the governor, to know his pleasure!"

'Yussuf was hustled about in the most unceremonious way possible; the rabble rushed in on all sides, tore the rayah, already half dead with terror, from the gripe of the enraged headsman, and dragged both him and his companion before the governor; where after a conference with the Cadi, the recantation of both culprits was received, and both were pardoned.'

M. Fontanier does not altogether deny the claim of the Turks to a certain reputation for good faith and honorable dealing which they have acquired, but he is at a loss where to seek it: no traces of it are to be met with in "the Mussulman." It is possible they may exist in private transactions, but in all cases

between individuals and the agents of government these good qualities are utterly wanting.

'Is the case one for instance, where a Pacha wishes to punish a criminal; they begin first by alarming or menacing him: they deliberate, in his hearing, as to whether his head shall be cut off, whether he shall be thrust into a cannon, mutilated, or put to the torture. Then some friend of the Pacha consents to intercede in return for a sum of money, to be divided in the following manner—so much for the Pacha, so much for his officers, so much for the intercessor. If the proposal pleases pardon is pronounced; the accused is presented with a robe of honour, he walks up and down in triumph, and receives the congratulations of his friends; but if a mistake has been made in the estimate of his fortune, if he cannot fulfil his engagement, or if they cannot extort from him as much as was expected, then no kind of proportion is preserved between the crime and the punishment. I have seen some unhappy persons, from whom lumps of flesh have been torn by pieces; others from whom the nose, the eyes, the ears had been torn by pincers, under the absurdest charges, and that because they had not been able to extort money. At Bolo a Greek was treated in this way, for having returned a blow to a Turk who had struck him.'—*Fontanier*, p. 320.

In Egypt there is a tolerably good police, and the laws of the despot who reigns there, are administered with some semblance of justice. In Syria, where the wandering tribes reach, security is bought without the forms of justice, but with as little violence as in the Courts of the Grand Seignior. Some of the hereditary Pachaliks were celebrated for the impartiality of the administration of justice; but it has been a point with the Sultan to extinguish these governments, and with them it is that justice has disappeared. Mr. Fuller records an apposite answer on the part of a man who had been robbed of his horse in the hereditary pachalik of Karasman Oglon, in Ionia.

'Overcome with fatigue one day, the complainant, a travelling merchant, threw himself down to sleep in a grove of trees near Magnesia. He had no one to watch him, and on awaking found that his horse had been stolen. He immediately repaired to the Governor, complained of the theft, and put in his claim to compensation. "But how," said Karasman Oglon, "could you be so imprudent as to sleep without having some one to watch your property?"—"I slept Aga!" said the traveller, "because I thought you did not sleep."'

Similar confidence in the Pacha of Egypt caused Mr. Fuller to lose all his packages, containing medals, ammunition, firearms, gold watch, instruments, money and papers, as they were one night all hooked out from under his tent near Belteis, while the party were asleep: restoration was subsequently made by the government to the amount of £250. Mr. Jowett, the missionary, was of the party, with a large packet of bibles, and

it is singular that though every thing else was stolen, the thieves had left the bibles utterly untouched.

The occurrence of Mr. Jowetts's name reminds us of some amusing scenes, too long to quote, in which the vain efforts of an ignorant missionary to convert some Turks are very ludicrously described. Mr. Madden has touched upon all points of interest: he has not even left out the English Turks, which we apprehend forms not the least absurd portion of the moving population. Shoals of English now sail up the Nile, and it is almost as common to meet travelling companies as high as the first cataracts, as to find pleasure parties on the Thames at Twickenham. And of the curious description of our countrymen that penetrate into these regions, in order to give the benighted East an idea of our national character, very amusing portraits are given by Mr. Fuller.

We have already transgressed the limits we had assigned to a rapid survey of these late works on Turkey, or we should have pleasure in confirming our character of Mr. Fuller's sensible and agreeable performance, by copious specimens. As it is, however, we recommend strongly the perusal of his work, conjointly with the others, to all those who take an interest in the dominions and population of our ancient ally.

ART. XIV.—*Evénemens de Paris des 27, 28, et 29 Juillet,* 1830. Par plusieurs temoins oculaires. 1 Vol. 12mo. Paris. 1830.

IN the rapidity of the events which brought about the glorious Revolution of Paris and of France, their details have been most imperfectly recorded: it will be a service to futurity if they are gathered together, and arranged. The following particulars, collected after much inquiry amidst the scenes of those heart-stirring events, is a veracious outline, which will be filled up by the Chronicler of more minute circumstances; not one of which is without its charm, its interest, its instruction.

The Revolution of 1830 was, in fact, but the accomplishment of that of 1789. It was the result of a struggle spread over the vicissitudes of forty years. From her first effort to win her freedom, the attention of France was called away by foreign hostilities in 1792; then came the despotism of anarchy, then successive warlike triumphs, and then, as their natural consequence, the monomania of military glory. The dazzling tyranny of Napoleon had its fascination even for the

many; and in the grandeur of his name, its mischievous influence was too much forgotten.

The Restoration of the Bourbons was effected by foreign intervention. Their weakness, their narrowness, their nullity, presented a miserable contrast to the imposing power and splendour of the illegitimate sovereign. Passing over the shuffling policy of Louis XVIII—what did the reign of Charles X. present? A court crowded by priests and nobles, offensive to opinion alike in what they did and what they left undone. A king, whose existence was but a vibration between the forest where he hunted and the altar where he knelt. Swarms of anti-national serviles, the relics of by-gone days, who made the budget their prey, all ranged under a banner, which represented the humiliation of France; and all leagued against the common interests of the people.

The Charter, notwithstanding the original vice of its origin, offered some protection to the democratic principle; but it was either covertly undermined, or openly outraged, as the court found courage and opportunity to bring its hostility into action. The middle classes bore the grievance with submission—almost with silence: the shadow of a representative government remained; they had the power of complaining, if not the means of redress. The "divinity which hedges a king," preserved the dynasty from attack; and scarcely a newspaper was to be found that ventured to speak of the monarch with disrespect.

But the folly, the blindness, the precipitation of the enemies of liberty did more for its progress than the wisdom, or foresight, or discretion of its friends. The ascendancy of the priestly faction made them presumptuous, and gradually the moderate royalists deserted the ranks of their fool-hardy former associates. Among them were some, especially the opulent, who had the sagacity to see that the aristocracy of wealth was likely to triumph over the aristocracy of rank, in a country where the elective franchise was wholly in the hands of the rich; and where no other caste had any firm hold, either on opinion or by position. These became sincerely attached to the Charter. The *parti-prêtre*, the court of the king, thus stood alone and detached from the people, in obvious helplessness and nakedness. No sagacious eye could fail to observe, that events were ripening into their full developement; and, as Shakspeare has wisely said, "Ripeness is all."

The nomination of Polignac snapped the last link of connection between the king and the people, and the renowned minister seems assiduously to have gathered round him every thing that was most disgusting, most odious to the nation. Polignac

himself, as obstinate as feeble, a priest-ridden aristocratical noble—La Bourdonnaye, bold and bloody-minded—Bourmont—the *âme damnée* of the French army, the incarnation of treachery—made, with a few helpless and servile creatures, the ministry which was to control the discontents of thirty millions of Frenchmen.

La Bourdonnaye refused to play the second part in the counter-revolutionary project: he abandoned the glory to Polignac. The ministry lost much intellectual strength, but won no public confidence by his desertion. Thus weakened, it ventured to face the Chamber. It appealed to its inaction as evidence of its honesty; and newspapers were found in England to load those with abuse who looked with distrust on "men who had done nothing." The deceitful pretence was estimated in France at its true value. The Chamber bore, respectfully but frankly, the language of dissatisfaction to the king. Their conduct met with the almost universal sanction of their constituents; but the king, dreaming of "right divine," declared that he was "outraged;" he prorogued the Chamber; it was but to defer the final reckoning. He should have remembered that the intervention of the people must come at last. He determined to try the effects of corruption; he forgot to how much of its influences the simple and beautiful machinery of the ballot opposed an efficient barrier. Another appeal to the nation was but the arousing a mightier energy than existed before. Between the Ministry and the Chamber the nation pronounced its omnipotent award.

Meanwhile, the ministry strengthened itself by the accession of Peyronnet. He too had the recommendation of the public hatred, to the favour of the king: but he was known to have the disposition to advise acts of violence, and the courage to give them execution. He reassured the Cabinet—attacked the irresolution, fortified the weakness, of Polignac, and marched resolutely to his object: he prepared the way by his circulars for the destruction of the public liberties; and on the 25th of July, those renowned *ordonnances* were signed, which have been washed away by the blood of so many heroes.

Of all the enemies of despotism, the press is most alarming to despots; its operation is so quiet, so concealed. A crowd of rioters may be dispersed, but a conviction produced by the reasonings of a public writer, cannot be subdued by force; there is no logic in a bayonet, for the detection of a fallacy. And the press of France had very tolerably done its duty; it had thrown day-light upon the projects of the government, and induced the masses of the people

to look with interest upon the discoveries it made. It denounced the Polignac ministry as traitors to the public cause, and made the breach in the strong-holds of misrule, where public opinion took up its firm position. To destroy the press, was a necessity for those whom the power of the press had reduced to the last extremity. But as a pretence must, in these days, be found for every thing; and the naked "*sic volo*" has lost many of its charms, thus did the Polignac ministry profess to reason about the press:—They said, that liberty was a different thing from licence—and that to blame the free acts of the sovereign was licentious: that the press had attacked the prerogatives of the crown, and would attack even the person of the monarch: that its insolence would not even spare inviolability itself; and that lawyers would be found to sanction and to defend its perversity, even in the sanctuary of justice: that the press converted truth into falsehood, and light into darkness; that it visited innocence with judgment, and with condemnation; that it distorted evidence, and sought matter of accusation out of the privacies of life; that it would not allow even the sovereign to recompense an honorable deed, if the honorable doer had displeased the party whom the press represented: the press, in a word, was the Pandora's box of evil; and the press must be destroyed, so the first ordonnance of the 25th July breaks out with these eloquent words,

"*The Freedom of the Periodical Press is suspended.*"

But this was not all. The courage that could do so much, could do much more. This was the day of daring, and not of calculation. Valour was not to be tempered by discretion, but to play its own high and desperate game. There was a Chamber—the representatives of the people—it had been troublesome—almost as troublesome as the press—it had been dismissed, but it came again—it had been dispersed, but it had found a resurrection. All that power, that corruption could do, had failed—the chamber was regenerated—nothing remained but to give it a death-blow. And the second ordonnance opens thus;

"*The Chamber of the Deputies of the Departments is dissolved.*"

Yet though the Chamber is dissolved—may not the same obstinate electors return the same pernicious Deputies as before? How could suffrage be left in the hands of those who had spurned the mandates of the monarch and the missives of his ministers? We will destroy (said they) the elective franchise wherever we cannot control and command it. We have our own way in the Departmental Colleges. These let us preserve, and let us sacrifice all the rest. So the third ordonnance thus ushers itself in—

"*The Chamber of Deputies shall be composed only of Deputies of Departments.*"

Such were the feats of high emprize of the Tenth Charles and his Cabinet.

The 26th of July dawned in calm—men dreamed that the Chambers were quietly to assemble on the 3rd of August, as had been announced. The Moniteur appeared—the columns were filled with the fatal ordonnances. The first impression was a universal stupor of incredulity. Such blindness and such boldness were impossible: the news rapidly spread—it was received for the most part in silence—no imprecations—no shouts at first—nothing but that unuttered, that unutterable agitation which precedes a dreadful explosion.

At the Exchange every man looked at his neighbour with anxious disquiet—the discount of bills suddenly stopped—the funds rapidly fell. M. Mangin then took another step forward, and covered the walls of Paris with ordonnances against the press. The most rigid mandates were sent to the printing-offices. They were required, on pain of having all their presses destroyed by the police, to refuse to print any newspapers, except those whose appearance the government had authorised.

The proprietors of newspapers met, and drew up a protest against the illegality of the ordonnances, which they denounced as null and void: they proclaimed that their Journals should still be printed, in spite of the mandates of the prefect of police; but many of the printing-houses had been already closed, and the journeymen printers dismissed. An appeal was made to the tribunals; and the president, M. Belleyme, honoured himself and his court, by sanctioning and legalizing the resistance of the Journalists. He authorised them to continue their publications until they had time to obtain the required permission.

There had been as yet no act of violence; but the manufacturers discharged their labourers, and thousands of unoccupied hands filled the streets. Boys—for they, in truth, began the revolution—were grouped together, and their shouts gathered round them the dismissed printers and workmen. The crowds collected in constantly accumulating numbers; but they only talked of wrongs. The stream of population flowed towards the public places, and especially towards the Palais Royal. There their discontent was greatly heightened, by a body of Gendarmes, which besieged the office of the Régenerateur. Transparencies were exhibited against the ministers and the Jesuits. Every word of reproach was echoed by the mass of the people. A commissary of police presented himself, and

was loudly hooted. Orders were given to disperse the people, who retreated before the bayonets of the soldiery. They retreated, however, with threats, and in a state of increasing excitement; and they stopped in the square of the palace, where they were again driven away by the royal guard. But the voice of resistance was heard, and the fermentation continued. When night came, the groups were so small that they were easily scattered by the patroles; but the windows of Polignac's hotel were shattered by the people.

Tuesday, the 27th of July, was the first day of blood. The police had received orders to appeal to force, and to call in the aid of bayonets, if necessary. The ministry calculated on the consternation which their promptitude would produce. They reckoned on the cry for mercy, and not the cry for vengeance. The cry for mercy was not heard; the cry for vengeance was terrible.

The *Temps*, a noble and independent newspaper, had continued its publication. Its conductors caused it to be distributed in all the public places of Paris. Their courage was a fatal blow to the ministerial purposes. The "Temps" openly announced their determination not to submit. And their heroic obstinacy was the first formidable opposition with which the government had to struggle.

The officers of police marched to the printing-office, to seize the presses of the "Temps." In the name of law they came to violate all law. The printers refused admission to the police: for seven hours they successfully resisted their entrance: at last they determined to force the doors. The blacksmiths to whom they applied refused their aid. At last an instrument was found worthy of committing the detestable infraction: it was the man whose office it was to rivet the fetters of criminals. He broke open the gates of the printing-office.

In the mean time, the liberal part of the Deputies, who were in Paris, assembled at the house of M. Casimir Perier. They there signed an address to the king, representing the perils to which the country was exposed, and protesting against the illegality of the ordonnances. They declared, that their duty and their honour compelled them to resist the decrees which overthrew the liberty of the press, and the representative rights of the people: that the peace of the present, and the security of the future, were equally compromised; that the Chamber not having been assembled, could not be dissolved, nor could another be summoned without a violation of the charter: that deeming themselves the true representatives of the people, they would not surrender their rights, and would discharge the duties

emanating from their nomination, unless impeded by physical force and violence.

After these energetic protests several of the Deputies went to the Tuileries to present the address to the king; but the king had left Paris. Marmont, the commandant of the royal guard, received the deputation, and offered to escort them to the council of ministers, or to go there himself. He went: the sole reply he obtained from Polignac was, "that he knew the orders of his Sovereign, and was bound to execute them." He brought this answer back to the Deputation. "They will have civil war then," said one of the most zealous and most admired defenders of the people, M. Lafitte. Marmont made no reply.

But the indignation of the populace grew stronger and stronger, and the slightest event was likely to lead to an irruption. That event speedily occurred.

A considerable number of unarmed young men had gathered round M. Perier's house, waiting, with anxious inquiries, the decisions of the Chamber. They were charged by the Gendarmerie, and several of them fell. In other parts of Paris the labouring artisans, armed with sticks only, had gone through the streets shouting *Vive la Charte!* Wherever the Gendarmerie met them, they marched upon them, as if the universal movement were the ebullition of a few mal-contents, to be quieted by the mere presence of an armed man. But indignation now began to spread like an electric fire; small groups became large ones; stifled murmurs broke out into loud execrations; and the gathering of the people, especially about the Palais Royal, was immense. There popular orators read the ordonnances to the assembled crowds. Chairs, tables, posts, all served as rostrums, whence torrents of eloquent indignation were poured out. Exasperation grew fiercer and fiercer, fed by the details which were brought from the different quarters of Paris. Presses had been destroyed; peaceful citizens had been murdered: there were victims to be revenged. One man had seized the bleeding body of a woman, with which he had rushed through the streets, crying—'Vengeance! vengeance! to arms! to arms!'—he dashed it to the ground on the Place of Victories, and shouted aloud—"'Tis thus—'tis thus they serve our women!" The cries of "To arms!" grew deafening. They had no arms: they rushed unarmed on the *corps de garde*, who surrendered without resistance, and gave their weapons to the assailants.

Those of the citizens who had muskets took the lead. They were followed by an immense crowd with sticks, swords, hatchets, hammers, lances, spits, and bayonets—some only bore a knife. They emptied the warehouses and shops of the armourers as

they went—and found themselves strong enough for attack. The only cries now heard were "Down with the Ordonnances! Death to the Ministers!"

They marched forward. The Palais Royal—the Halle and the Rue St. Honoré, were the principal scenes of the combat. They advanced upon the Royal Guard and were repulsed with loss; their loss only added to their exasperation; and the blood which flowed, flowed only to arouse a more maddening feeling of revenge. But they had obtained no position—they had won no post—the streets were crowded with dead—and the royalists maintained all their strong holds. A retreat was determined on, after a part of the night had been spent in the affray. But there was a unanimous understanding that a more terrible battle would be fought on the coming day.

The re-organization of the National Guard was determined on. There was salvation in the very project, and hope seemed to animate all hearts.

Where were the ministers during these murderous combats? They were hidden in the Tuileries, congratulating themselves on their intrepidity and their victory. They sent off a messenger to St. Cloud, announcing to the king that they had triumphed over the people. Congratulations echoed back congratulations, and Polignac received at that time—for one short—short day—the title of the "Saviour of Legitimacy."

The 28th of July brought with it new evidences of that military and civic virtue, of which we have already seen so many examples.

The Tribunal of Commerce was called to decide on a question of the highest interest. The printers had appealed against M. Belleyme's decision—they refused their establishments to the Newspapers. Alarmed by the threats of the Prefect of Police that he would destroy their presses, and ruin their fortunes, they demanded a revocation of the decree which compelled them to print the daily papers. It was amidst the roars of cannon and the confusion of battle that the Tribunal of Commerce recorded this memorable sentence:

"That whereas the ordonnance cited by the Printer is contrary to the Charter, and without obligation upon any one—and whereas by the terms of the Charter no ordonnance can be issued except for the execution and preservation of the laws—and whereas the ordonnance in question has for its object the violation of the laws—the Tribunal condemns the printer," &c. This memorable judgment speedily circulated among the crowd, and was, in fact, an invaluable testimony to the legality of that resistance, which had now become a matter of life and death.

From the break of day the soldiery patrolled the streets, and fired upon the citizens, while on the quays and Boulevards the artillery discharged grape-shot among the people. In different parts of Paris there were severe struggles. At the gates of St. Denis and St. Martin much blood was spilt. The people made fortresses of those fine monuments, whence they hurled huge stones upon their assailants. The troops of the line began to fire in the air, and soon to desert and to mingle with the citizens. The Royal Guard showed considerable backwardness, while the Swiss fought with a devotion worthy of a better cause. The Gendarmerie, scarcely less the objects of hatred than the mercenary Helvetians, had for the most part deserted the evening before—disarmed and disguised.

A royal ordonnance was announced. Every person believed that it would be the harbinger of concession, and that the events which had occurred must have given sight to the blindest. What was the astonishment when the walls were covered with an announcement from the king, that Paris was in a state of siege!

It would seem, that as on the part of the people so much prudence, courage, and virtue were displayed, so the infatuated monarch was determined to set these qualities off to their highest advantage by exhibiting, on his part, all that folly and baseness the most extreme could compass. "Paris, then, is handed over to the blood-thirsty and perfidious duke of Ragusa!" was the general exclamation—"and our fate is to be settled by the hired Swiss, and the ultra guard!"

But "Vive la liberté!" was the sound which welcomed this new mark of the king's consideration for his good city of Paris. The arming of the people had gone on rapidly; and after this "note of war" there was no time to be lost. An inconceivable number set themselves in motion to attack the Hotel de Ville. The fight was bloody,—but the post was taken; the Swiss troops were all destroyed—and their arms and ammunition distributed among the citizens.

It was soon learnt that the royal guard were about to make an attempt to dislodge the citizens from this important station. The citizens had been joined by the students of the different schools, who turned out to a man in favour of the popular cause. They, the youthful representatives of France, most nobly did their duty in her hour of peril. They came unarmed to the people, and asked for weapons; they had hardly been supplied ere they had to exercise them in bloody encounter. Marmont, at the head of 6000 Royal Guards, and preceded by eight pieces of artillery, advanced along the Quays, by the Pont Neuf,

He directed his troops to march upon the Hotel de Ville—and a murderous fire of musketry and cannon took place. Here it was that the severest struggle was witnessed, and here the noblest examples of civic bravery were exhibited. Whenever a soldier of the guards fell, his arms and ammunition were seized by the people, and used against those who remained. Children were seen fighting among the enemy with the greatest coolness and bravery. There was no labour, no exertion which was not cheerfully undertaken; and there seemed no thought of hunger or thirst, or even a desire for refreshment. Many women mingled with the crowd, encouraging their friends, carrying away the wounded, and bearing assistance to those who fell from exhaustion. In the foremost ranks, were the youths of the Polytechnic school—They encouraged by their harangues, and led by their example—they were omnipresent—and their heroism decided the victory. It was a realization of the boast which said, "Our lads of fourteen are giants all."

In the midst of this mass of heroic citizens, appeared for the first time in uniform, some of the old National Guard. Their presence awakened a general enthusiasm, and as soon as they presented themselves, there was a rush forward, and the Hotel de Ville, which had been forced by the troops, was taken and retaken by the people. Thrice did that edifice change its masters, but at length the good cause triumphed. The enemy, after severe losses, began his retreat, sorely pressed by the citizens, who obtained possession of one of the pieces of artillery. At the commencement of the action, there was neither order nor discipline; but in its progress the most admirable subordination was established. The old military were soon allowed to direct the motions of the rest, and the contest was carried on with as much ability as valor. During a short time the fire of the artillery compelled a retreat, but there was an immediate return to the attack, and the piece of cannon which was taken was served by an old artillery man, and caused great loss to the Swiss and the guards.

The scenes of the Hotel de Ville were repeated at the Palais Royal, the Rue St Honoré, the Gate St. Denis, the Fossés of the Bastille, in the Montmartre, and the Dauphine Streets. The columns of cavalry and infantry were compelled to retreat to the centre of the town, after very heavy losses. In the streets, many of them very narrow, they were assailed by showers of stones and other missiles from the hands of men, women, and children. The same ardour possessed all; and the war which was begun was likely to be a war of extermination.

By four o'clock, all the troops had withdrawn to the centre of

Paris, their efforts were confined to the defence of the Louvre and the Tuileries, and their lines extended from the Pont Neuf and the Boulevards, to the Madeleine and the Rue Richelieu.

At this time Marmont had despatched a messenger to the king, telling him that he could no longer answer for the result of the contest,—and requiring rations for the troops. An answer was sent, that his wishes would be complied with, and he was desired to distribute as much wine as he might think fit, and to spend any quantity of money, for which the king would himself be responsible. But all this had been done already. Money and wine had been offered in abundance, and in the king's name, on the morning of the day of battle. Wine to inebriate the intellect—money to stifle humanity and conscience—a million of balls, of which many were of rough copper, to extirpate the inhabitants of his good town of Paris, such was the parting greeting of Charles the Tenth to his people.

But attacks from the troops now ceased, they acted henceforward on the defensive. The firing lasted through the night, and always to the advantage of the citizens, whose numbers, whose energy, whose arms constantly increased, while the soldiers, exhausted by privations, want of food, and of communication with their barracks, grew weaker and weaker, and that without any prospect of relief.

The lamps of Paris had been all broken, the streets unpaved, and protected by barricades. Carts, coaches, omnibuses and diligences had been overturned in order to stop communications; the beautiful trees of the Boulevards had been felled and flung across the roads, and all the main streets presented their bastions of defense. It would seem as if military genius of the highest order had presided over these wonderful works, A colonel of engineers, of seventeen years standing, told us he had never seen more perfectly constructed ramparts. Behind these, and from the corners of the streets, able marksmen brought down the greatest part of the royalist officers.

The same evening the shops were broken open of the gunmakers who had previously refused to deliver over their arms to the people. They obtained possession of the powder-magazine of the Garden of Plants, and distributed ammunition to all who had need of it. They occupied all the posts, except on the ground where the royal troops remained; they placed guards at all the barricades, and waited the arrival of the morning which was certain to decide the victory of freedom.

In truth, on the 29th of July, there was little to be done; that day was the day of great results. Two important positions remained to be taken—the Louvre, and the Tuileries: they were

the last hold of despotism, and these conquered, Paris was free.

The victories of the evening had spread universal gladness and joy. In every direction the badges of royalty had been torn down —there seemed scarcely a vestige left of a race whose history was so closely associated with crimes and bloodshed. The National Guards were incredibly multiplied, the glorious tri-coloured flag was flying on the towers of Notre Dame;—it had been hailed with a passionate welcome, for which enthusiasm is a feeble name, and the attack which was about to take place was rather the anticipation of a victory, than the uncertainty of a struggle.

At eight o'clock the troops withdrew from the Pont Neuf and concentrated themselves on the Louvre. The citizens followed them, and a brisk firing was opened. The popular artillery was brought to bear, and the troops, now withdrawn to the apartments of the palace, caused unrequited loss by their discharges from the windows. But the people still advanced, with perfect self-possession, and such as had escaped the fire of the soldiery broke in upon the Tuileries. The Carousel was covered with blood. The Rue de Chartre became the theatre of a murderous conflict, and the people were driven back, with great slaughter, to the Palais Royal. But new re-inforcements came onwards from the Rue St. Honoré. The royal troops were again forced to fly, the people rushed after them to the gates of the Tuileries, and the square of the Carousel was obtained possession of by the citizens. Another resistance took place at the Triumphal Arch; but the citizens advanced and forced the barrier. At this moment the Swiss and the Royal Guards took to hasty flight. The Tuileries were in possession of the people. The final victory was won, and the troops were all in full retreat through the Champ Elysées on their way to the dethroned king, who was at St. Cloud.

In another part of Paris an event not less remarkable occurred; at ten o'clock the Fauxbourg St. Marceau had arranged itself under the orders of the youths of the Polytechnic School, and marched upon the esplanade of the Invalids. They were joined by the Fauxbourg St. Germain, and they determined to attack the Swiss barracks in the Rue Babylone.

The onset was terribly fierce, and scarcely less so the defence. The Swiss maintained a heavy fire from their windows, behind which, having protected themselves by their mattrasses, they were sheltered from danger. The citizens marched round to the other side of the building, but found no means of entrance. Exasperated at this, they gathered together large heaps of straw, to which they set fire, and enveloped by the smoke, they were

able to scale the walls, and to force the doors of the barracks. In the first moments of their fury, not a Swiss escaped, but soon humanity obtained the mastery, and those who surrendered were spared.*

Time would fail us, had we months before us, space would fail us, could we devote volumes to the subject, to record those individual traits of heroism, of moderation, and of generosity which have come to our knowledge. How can one select where hundreds of thousands exhibited the highest examples of courage and virtue? When the present king of the French sent rewards to the schools of Paris, and bade the students choose from among their number those who were the most deserving—they could not distinguish, where all merited distinction, and they respectfully declined the honors which implied that any one had displayed merits inferior to the rest. The whole history is one of untarnished glory, such as never before honored the records of man. Never was freedom so delightfully associated with wisdom and humanity; never was a high and enobling sense of duty and of dignity so widely diffused. "We shall all go down to posterity" said one of the meanest of the combatants to him who writes these lines. "We have given a lesson" said another "which would make a dead man start to life." Romance might find materials for wondrous stories in the truths of these glorious days. There was a young person in man's apparel, among the first and foremost in one of the bloodiest frays—when piled among the dead, and stripped for interment, that person was found to be a young woman.

The Deputies assembled. A municipal commission was chosen, and a provisional government established. The great name of Lafayette was heard—the name of two worlds—and was transferred with acclamations to the head of the National Guard; and general Dubourg, the first officer of rank who had shown himself on the side of the people, and who had commanded at the Hotel de Ville, was placed under the orders of Lafayette. General Gérard was appointed to the command of the troops that had submitted.

We cannot speak of the simultaneous movement of the different

* An English young lady of eighteen, writing from Paris to her father in England, says, "We (herself and mother) went out on the 29th of July the day of victory. I never saw any thing so ugly as the aspect of some of the *grand peuple*. They were as hideous as the *sans culottes* of the stage; but truly their moderation and civility were extraordinary." Those who have marked the travestied figures which make their appearance among masses of people acting under any strong excitation, as exemplified at a fire or a wreck, will perfectly understand what a girl of eighteen means by ugliness.

departments of France in favour of the Revolution, of the retreat of the despot and the welcome of the citizen king. Our purpose was only to glance over the events of the three days—the ever memorable and glorious days.

Be one reflection allowed to us. Aristocratic virtues have been lauded to very weariness, but here we demand some admiration for the virtues of the people. Let him who henceforward shall dare to speak of "the mob," of *the many*, with insult, scorn or contumely, prepare himself with some page out of the chronicles of the "higher orders," of *the few*, which shall bear a comparison with that which records the deeds of the people of Paris. The people, the people, it was the people that did all. They had neither leaders, nor plans, nor organization; nothing but their own noble qualities, and it may be doubted if leaders, plans, and organization would have led to so prompt, so perfect a triumph. Each man acted as if the cause of his country were committed to his individual care. The suggestions of wisdom, from whatever lips they fell, became the rule of conduct; intelligence alone was by common accord elevated to the posts of command, and all the enthusiasm of the universal heroism grouped around it. Discipline and order grew out of seeming chaos. Every irregularity was instantly suppressed, every crime was promptly punished. When all the representatives of authority were scattered, safety and regularity and justice were secured by the Police of the people. They rose for no purpose of plunder, from no love of outrage. They thought more of their country than of themselves. They did their great and sublime deed, and they returned to their daily labours. In truth, we are entering upon a new era, and there is much to ponder on, both for oppressors and oppressed.

Art. XV.—*The Œdipus Coloneus; chiefly according to the Text of Brunck, &c,* By the Rev. J. Brasse, late Fellow of Trinity Coll., Cambridge. London. Baldwin and Co. 1830.

THIS little book forms one of the series entitled "School and College Greek Classics, with English Notes, &c." Before we make a few remarks on the execution of this part of the series, it will be useful to premise some observations on the general plan and design of the publication. Nothing is more wanted in schools and colleges than cheap and portable editions of classical authors, or those parts of them that are used in college lecture-rooms: a text carefully established on the best

MS. readings, with notice of conjectural emendations, whenever they are introduced, is nearly all that is wanted. An Index of Proper Names is a useful addition. With an honest and diligent instructor to guide him, and to make suitable comments on all passages that require it, a student will proceed in his pursuits with zeal and confidence; nor will he look for the assistance of cumbrous and expensive editions which, under the present trading system of schools, are more profitable to the master (the intermediate vender) than to the pupil, or any body else.

For those who are self-instructors, short notes, chiefly explanatory, are useful and perhaps necessary; and we contend that to write them in any other language than English is a gross absurdity. This specimen of the "School and College Classics" has short notes, chiefly of the explanatory kind, and in English: so far it merits approval. But on the score of cheapness we must enter our protest: a small octavo of a hundred and twelve pages, consisting mainly of a reprint of what can can be procured without expense, and accompanied by notes, which certainly could not bring a high market-price, is offered for the moderate price of 5*s*. Should the learned editor present us with the seven plays of Sophocles at 5*s*. each, the sum total will be 1*l*. 15*s*., which, considering the mode in which the thing is got up, is not cheap, but very dear. But the principle by which a high price is asked for a work is well known to the Bungay publishers, and others of the same stamp; a man will buy eternally their separate numbers without being wise enough to see that he is thus paying a higher price than he ought. It must be on this principle, and no other, that a book is sold for 5*s*., which, if it succeed in getting a reasonable sale, would pay well at the price of 3*s*. 6*d*.

The edition of the Œdipus Coloneus, by Dr. Brasse, is not a book that is useful for a scholar, because the editor does not always give the MS. variations where they are important, and, in some instances, the emendations of Brunck, or others, stand in the text without any intimation being given. For example, line 364, instead of ἔρις, the MS. reading, we find ἔρως, the conjecture of Tyrrwhitt, followed by Brunck, and others; there is a note on the verse, but no notice is taken of the alteration, which may be safely pronounced to be unnecessary, and injurious to the general meaning of the sentence.

In another instance where he informs us that Brunck's emendation is preferred to the MS.; we differ in opinion from the editor: line 274, we find in the MS. εἶτα τοὺς θεοὺς μοίραις (or μοῖραν) ἡγεῖσθε μηδαμῶς, which is probably slightly corrupted. The remedy of writing μοίρᾳ is less violent than

Brunck's emendation, and to substitute ὥραν for μοίραις or μοῖραν is one of those desperate remedies which are worse than the disease: ἐν μοίρῃ ἄγειν is established on the authority of Herod. ii. 172. and tends to protect the usage of μοῖρᾳ in this passage.

It is rather difficult, and, in many instances, impossible to ascertain Dr. Brasse's opinions on particular points or passages; for, instead of giving the desired information, he very frequently refers us to his own Œdipus Tyrannus, or to the plays of Drs. Blomfield and Monck. But Dr. Brasse cannot expect a man, who has bought his Œdipus Coloneus for the purpose of thoroughly studying it, to procure *his* Œdipus Rex, and *his* Greek Gradus, and Blomfield's plays, and Monck's Hippolytus, and a dozen other books to which he refers for that information which he ought to have given, and which could be given in few words. In line 1445, the word κιγχανω occurs, and here is an excellent opportunity of explaining to the pupil this class of verbs in -ανω, but, instead of it, we find a reference to Blomfield's Seven against Thebes, and to Monck's Hippolytus; but suppose the student to procure Blomfield's Persæ, full of expectation to know the Bishop's opinion, what does he find? a note that teaches nothing, a quotation from the Etymologicum Magnum, and a reference to Monck's Hippolytus. Again, on referring to the Index, we find this item: "verbs in ανω, formation of, 1446;" but, on turning there, nothing more is discovered than the two references just mentioned. Verily, our Hellenists seem to be in a league to tax the pockets of all readers of Greek; and long, long ago, have our getters-up of play editions been recommending the books of one another in fulsome notes, with indiscriminate panegyric.

Those who have attended to the condition of Greek learning in this country as exhibited in our editions of Greek plays, cannot fail to be struck with the puerile character of many remarks, particularly those which are intended to illustrate the moral or religious notions developed in the Attic dramatists. While we find in some of these editions, as, for example, those of Elmsley, great acuteness in verbal criticism, and excellent philological precepts derived from the usage of the scenic poets; in others, as in this play of Dr. Brasse, we have the most childish remarks, both on the matter and the words.

That there are no useful notes in Dr. Brasse's book, cannot be truly said: some are good, to which he has attached the names of Elmsley, &c.; others that are good, we suspect not to be his own, because of the numerous trifling remarks which are undoubtedly from his hand. Line 1599, Œdipus receives the announce-

ment of his approaching end : 'κτύπησε μὲν Ζεὺς χθόνιος, on which we have this note, "Subterraneous Jupiter, i. e. Pluto, See Blomf. Æ. P. V. 1029." It is not every body that has a copy of the orthodox Prometheus, and we do not know what is its interpretation of the Ζεὺς χθόνιος; but the Doctor should have told his pupils that the Ζεὺς χθόνιος is a personification of the earthquake, which, if he should ever have the good fortune to feel, he will at once comprehend.

Line 1336, Polynices speaks of the triumphant success of his brother, and this gives rise to the following profound remark: "The ridicule of a triumphant enemy seems to have been the bitterest degradation and insult which was calculated upon by the ancients, and worse than death itself. Medea murdered her children, rather than afford herself to be a laughing-stock to her enemies;" and then comes a crowd of references to prove this doubtful point, which is also important enough to be inserted in the Index. It is difficult to say which is more worthy of admiration, the Doctor's deep insight into human nature, or the correct language in which it is expressed. The curious will find other notes worthy of attention.

Dr. Brasse belongs to that school of Greek criticism commonly called the Porsonian, of which Dr. Blomfield may be considered one of the most shining ornaments. The founder of this dynasty, who, we believe, never expected so long a line of successors, was a man of mettle, and of sound learning. We do not think, however, that he directed his attention to the best parts of his subject. The characteristics of this school in its present decrepitude, are, a disposition to canonize, i. e. make canons, or absolute laws, where, in some cases, certainty is unattainable, and in others, facts are against them; to labour hard to establish minute differences; to compare any given line or word of a dramatic writer with every other that has the least resemblance; to neglect the best prose writers: to continue ignorant of the real etymological structure of the Greek language, to which, as far as we can judge, Porson himself had paid little attention.

In the notes of Dr. Brasse, we stumble at every step on some old remark, or some puerile explanation, well known to those who have listened to lecture-room prelections, in which sound and talk predominate over sense.

Line 397. We have the usage of κρατέω explained: "κρατέω with a genitive, signifies to rule over, or be master of: with an accusative to possess or hold. See Matt. Gr. Gr. S. 338, b." We admit that some slight shade of difference may perhaps be established between the verb with these two cases respectively;

but we do not admit that Dr. Brasse's definition contains within it the least notion of difference; nor can we reconcile this note with another line, 648 "κρατέω with a gen., expresses a victory over; with an accusative, command, rule. See *Greek Gradus* in V."

The Greek Gradus referred to is the work of Dr. Brasse, which together with his Œdipus Tyrannus, must be purchased before the student can know his opinions on many passages of the Œdipus Coloneus. The Gradus has obtained praise. It would be difficult to prove that it deserved it.

Dr. Brasse's faults are those of omission, as well as commission. Line 1440 we find εἴ σου στερηθῶ, the MS. reading. Brunck unadvisedly changed εἰ into ἤν, but Elmsley defends and maintains the MS. reading, and refers to Œdip. Tyran. l. 198, where the genuine reading is εἰ with the subjunctive, not ἤν. The Doctor does not refer us to his Œdip. Tyran. though the question, as a matter of Greek philology, is much more important than some which he discusses. Compare Herod. i. 57. Xen. Anab. iii. 2. 22. on the usage of εἰ with the subjunctive.

Though Dr. Brasse has published a Greek Gradus, which somebody calls a monument "of taste, learning, and indefatigable industry," we are of opinion, that he knows just as little of Prosody as when he began to compile his book. Line 511, we have this note, "the second syllable of δειλαίας must be scanned as short on account of the metre." Now, what does this mean "the second syllable must be scanned as short"? It merely presents a difficulty to the student, but does not remove it. One of the most important general facts in the Prosodial System is expounded by the precept of "scanning as short."—Where ι is placed between two vowels, it may be attached in pronunciation to either of them: in the former case, it is one of those liquid sounds, well known in many European languages; in the latter, it still belongs to the same class of sound, and may be fairly represented by our letter y. Thus, then, we may pronounce δειλαίας—deilāy-as, or deilă-yas: in the former example we say the second syllable is long; in the latter, it is short: those who have heard Greek pronounced by a native, or who are acquainted with any modern language, besides their own, will understand what is meant. We mean to affirm, then, that wherever ι is placed between two vowels, it may be attached to the former, and thus make what is technically called a long syllable; or it may be pronounced with the latter vowel. The list of diphthongs in the grammar ought to be increased in accordance with the principle laid down. Line 456 begins ἀλκὴν ποιεῖσθαι where the first syllable of ποιεῖσθαι is

short, according to this general principle, and it ought to be pronounced po-yeisthai: in Porson's and Dobree's Edition of the Plutus of Aristophanes ποιῶ is written ποῶ, which, if it be done for metrical reasons, is an unnecessary alteration. While we are on this subject we may remark that the word υἱὸς may be pronounced either hōo-yos, or hwē-os, in conformity with what has been explained; and if we admit (what can not be well disputed) that the Greek υ is well represented by the Italian sound of *w*, and the ι by the long sound of *e* in *me*, it will then be some relief to those who have long complained of the difficulty in this verse of Homer Il. i. 9. Λητοῦς καὶ Διὸς υἱὸς· ὁ γὰρ, &c. to pronounce the word hoō-yos.

Occasionally the Doctor ventures on an original remark or explanation for the sake of showing that he has done something: line 104, &c. Œdipus prays for an end of his sufferings, "unless the deities may think that he has not suffered enough (εἰ μὴ δοκῶ τι μειόνως ἔχειν,) though always a slave to the greatest sorrows." The Doctor translates it thus "Unless I seem to be somewhat too low or mean [for your protection]": this is presumed to be original, as no name is attached to it.

But though many of the Doctor's expositions and suggestions are trivial or inexact, he is a better critic than one whom he lauds in no common terms. Line 422 begins ὡς οὔτ' ἂν, &c. where we learn in the note that Dr. Blomfield proposes, ὧν or ὧδ' instead of ὡς, which is as unnecessary an alteration as most that he has made. The editor, in this instance, wisely keeps to his text. Line 149 Dr. Brasse is on the word Φυταλμιος where he says, "Dr. Blomfield, who with his great learning and good sense, illustrates the meaning φυταλμιος": this is the usual style in which a brother critic is introduced; and so frequent and so indiscriminate is our editor's panegyric, that those who deserve praise would be glad to escape from the Doctor's laudations. The "great learning" alluded to certainly does not exist in the *Glossaries* to Æschylus; and the remark on the "good sense" is only excusable because it was written before the publication of the Bishop of London's correspondence with the Rev. Theodore Williams. The Doctor has found out a few who are deserving of his panegyric, but they surely cannot like the gross sauce with which it is seasoned. In one more instance at least, his praise is as much misplaced, as where he speaks of Dr. Blomfield's "good sense;" line 412, we are referred to Dr. Butler's *most useful* Manual of Ancient and Modern Geography. That which is bad in design, imperfect and inacurate in its execution, deserves and receives the praise of those who are unable to judge.

Many of Dr. Brasse's explanations are founded on certain notions of *ellipses*, and *of one thing being put for another*, in which he has often the sanction of good scholars, whom he quotes or refers to. But many of these illustrations are really obscurations, and do, as far as in them lies, render that dark, which without them is clear. Line 142. We have the reply of Œdipus to the surprise which the Chorus expresses at his wretched appearance: *οὐ πάνυ μοίρας εὐδαιμονίσαι Πρώτης, ὦ τῆσ δ' ἔφοροι χώρας*. This is the editor's explanation: "not a person to be congratulated for the very first destiny." *Εὐδαιμονίσαι*, he says, "is governed of *ὥστε*, and *μοίρας* of *ἕνεκα* understood." This explanation has its origin in a notion that the Greek words are not rightly arranged, that half of them are omitted, and that to *do* them into English they must be first set right: this operation is called supplying ellipses, and putting the words in the "ordo," and is one that is much practised by all half-learned persons.

Dr. Brasse, no doubt, will reject the proposed translation as zealously as he would a heresy: "not at all of a fortune to congratulate me on as the first," where, though we add the word *as*, we do not mean to say that any thing is wanting in the Greek, but we affirm that the *whole* English phrase corresponds to the *whole* Greek phrase. It is not with the English or the meaning of Dr. Brasse, that we quarrel; but we wish to show that neither *ἕνεκα* nor *ὥστε* are required for the explanation of the text: the latter elliptic word suggested, is not necessary, and the former is injurious. His mode of expressing *εὐδαιμονίσαι* by a passive verb, is unnecessary, and leads to certain confused notions, which are comprised in the language of the craft by "activum pro passivo."

At the end of the book are printed one hundred and ten examination questions, many of which are very appropriate, others are trifling, and are part of a system which is bad. The special object of this paper is to prepare youths to get into the first class at a college examination.

Before taking leave of Dr. Brasse, let him once more be warned against his friend Dr. Blomfield, and let him not take for true all that his learned associate says. We are informed, line 673, that *μίνυρος* is a young bird: it would be quite as accurate to say that it is a young whelp. A word, which denotes a particular kind of sound, must not be explained by telling a young student, that it designates any animal whose particular note or cry the word happens to express.

ART. XVI.—1572 *Chronique du Temps de Charles IX—Par l'Auteur du Theatre de Clara Gazul.* Paris. 1829.

THIS is another production of M. Merimée, the very clever author of Clara Gazul; displaying as much talent, brilliancy and wit as his first production. The young Parisian has all a Frenchman's tact for *les ridicules* of society; he shows discernment in his portraiture of manners, delicacy of observation in all those slight touches which individualize the outward appearances of men and things. A representation of manners was what he aimed at in *la Jaquerie*. But drama does not afford canvas wide enough for the painting of manners; character and passion and interest of situation are its peculiar province; the two last form, in spite of their deficiency in the first, the chain of the great French dramatists—all three are united to a wonder in our Shakespeare. There is a secret in the drama which would seem more masonic and exclusive than that of any other composition, or why have not our great novelists, masters of passion, plot or character, produced dramas equal to their romances? Why has almost every modern attempt proved a failure—cold inanities?—Clara Gazul possessed, however, a great deal of dramatic talent—there was not the spirit of a high sustained tragedy, but there were dramatic scenes of very great merit. A novel is the very frame to encase a picture of manners, and that especially is what M. Merimée has aimed at in his Chronicle. There is some carelessness, and a good deal of crudeness, but there are vigor, life, and wit. The story is not very striking, the scenes, many of them, are of the deepest interest.

The moment of time chosen is on occasion of the hollow peace patched up between Charles IX and the admiral de Coligny on the very eve of the Massacre of Saint Bartholomew. Bernard de Mergy, a cadet of a noble Protestant family, travels to Paris to find service in the army. His elder brother preceded him, but he has become a convert to Catholicism, and therefore is regarded as an *enfant perdu* by his junior. Mergy on his road falls in with some German Protestant troopers—he contrives to get rifled by them, and thus arrives pennyless in the metropolis; his first rencontre is with his elder brother George, who is a gallant fellow, who left the Protestant cause because he had been ill used by its chief, but who retains every generous and amiable quality. The brothers become friends immediately, and George introduces the young adventurer to his friends, the young and dissipated noblesse of France; and the same evening induces him, by the hope of seeing a certain beautiful

lady of the court, to whom in a very sudden manner he loses his heart, to go and hear a popular Catholic preacher's evening sermon. We are led to the sacristy where the friar is asking a text of the gay noble Parisians with whom Mergy had dined.

'"Quick, my text," cried the Monk—'*Mort de ma vie*—by this time I ought to have mounted the pulpit—"

'"*Peste!* father Lubin! You swear as lustily as the king," said captain de Mergy.

'"I wager he won't swear in his sermon," said Beville.

'"Wherefore not—if I take it into my head?" replied father Lubin, boldly.

'"I wager ten pistoles that you dare not—"

'"Ten pistoles! done!"

'"Beville," said the captain, "I'll go halves in your bet."

'"No, no," replied the other, "I wish to win the good father's money myself, and if he swears—faith! I shall not regret my ten pistoles. A preacher's oaths are worth the cash."

"I declare to you," said father Lubin, "that I have already won. I will begin my sermon by three oaths—ah, gentlemen cavaliers, you imagine that because you wear a rapier at your belt, and feathers in your caps, that you alone have a talent for swearing—now you shall see."

'With these words he quitted the Sacristy and mounted the pulpit—a profound silence reigned through the assembly.

'The preacher threw his eyes upon those who pressed round his pulpit, as if to seek him with whom he had made his wager—when he perceived him leaning against a column exactly opposite to him; he knitted his brows—put his arms a kimbo—and in the voice of a man in a rage began thus:—

'"My dear Brothers,

'"Par la vertu! par la mort! par le sang!—By virtue! by death! by blood!"

'A murmur of surprise and indignation interrupted the preacher, or rather filled the pause he purposely made—

'"Of God," continued the cordelier, with a very devout nasal twang, "we are saved and delivered from hell."

'A burst of laughter now interrupted him. Beville drew his purse from his girdle, and shook it before the preacher, thus confessing that he had lost.'—p. 87.

The book can hardly be said to have a regular story, it rather presents a series of pictures colored after those times—the lady who attracted de Mergy's admiration, was the countess de Turgis, who was then attended by a certain Comminges, not because she liked him, but because he challenged and killed every one who interfered with him. She looks favourably on Mergy, and Comminges half insults him. An amateur of duels perceives the occurrence and addresses the provincial—

'"My dear friend," said the Baron, "you are quite new here, and perhaps, do not know how to conduct yourself?"

'Mergy looked at him with an air of astonishment.

'"Your brother is occupied and cannot advise you; if you will permit me, I will supply his place."

'"I am not aware, sir, of what—"

'"You have been deeply injured—you seem pensive, and I do not doubt that you are considering how to revenge yourself."

'"Revenge myself? On whom?" asked Mergy, blushing up to his eyes.

'"Did not little Comminges brush rudely past you, just now? All the court saw the circumstance, and will expect you to take it to heart."

'"But," said Mergy, "in a crowded apartment it is not strange that some one should involuntarily have pushed against me."

"M. de Mergy, I have not the honour to be intimately acquainted with you—your brother is my friend, and he can tell you that I practise, as much as possible, the divine precept of the forgiveness of injuries. I do not wish to force you into a quarrel, but at the same time I think it my duty to tell you, that Comminges did not push you accidentally. He did it because he wished to affront you, and even if he had not touched you, he insulted you; because in picking up the countess of Turgis's glove, he usurped a right that belonged to you. The glove was at your feet; *ergo*, you only had the right to pick it up and present it. Besides, turn and you will see Comminges at the other end of the gallery pointing at you, and ridiculing you."

'Mergy turned and saw Comminges surrounded by five or six young men, to whom he related, laughing, some circumstance which excited their curiosity. Nothing proved that he was the subject that occupied them: but, on the insinuation of his charitable adviser, Mergy felt a violent anger awaken in his heart.—"I will seek him after the hunt," said he, "I will shew him"—

'"O do not put off so good a resolution—besides you will offend God less in calling out your adversary in the first heat of injury, than after having given time for reflection. In a moment of transport it is but a venial offence—you appoint a meeting—and you keep it in order to avoid the still greater sin of breaking your word. Oh! I forgot I was speaking to a Protestant. At all events arrange a meeting immediately—I will bring him to you directly."

'"I hope he will not refuse to excuse himself."

'"My good friend, undeceive yourself; Comminges never said in his life, *I was in the wrong*. But he is a brave man, and will give you every satisfaction.'"—p. 125.

After a little more discourse, the Baron de Vaudreuil brings up the practised duellist. Comminges, hat in hand, bowed with a very impertinent air, saying, in a soft tone of voice, "You wish to speak to me, Sir?"

'Anger made the blood suffuse Mergy's face, and he instantly

replied, in a firmer voice than he could have hoped, "You behaved impertinently to me—I desire satisfaction."

'Vaudreuil nodded approbation. Comminges drew himself up, put his hand on his hip—the received mode then of such cases—saying very gravely: "You are the challenger, sir; I, as challenged, have the choice of arms."

'"Name those you select!"

'Comminges reflected a moment:—"The estoc,"* he said, "is a good arm, but its wounds disfigure—and at our age," continued he, smiling, "one does not care to shew one's mistress a great scar in the face. The rapier makes a little hole—but it suffices (and he smiled again); I choose the rapier and the poignard."

'"Extremely well," said Mergy, and he was going away.

'"One moment," cried Vaudreuil—"you forgot to name the place for meeting."

'"The Prè-aux-Cleres," said Comminges, "is the usual place at court; and if this gentleman has not a predilection for some other place——?"

'"At the Prè-aux-Cleres, then, be it."

'"As to the hour—I cannot rise before eight—for reasons of my own—you understand me—I shall not sleep at home to-night—so I cannot be at the Prè before nine o'clock."

'"At nine o'clock, then.'"—p. 129.

Comminges is killed in the duel—Mergy wounded and forced to hide himself—the beautiful countess has compassion on her brave cavalier.

The description of the twenty-fourth of August is finely executed—but dreadful. Mergy is saved by his Catholic mistress, and takes refuge at Rochelle. La None, a famous Huguenot, had several times been taken prisoner and spared by the king—he sends him to Rochelle to induce its inhabitants to submit—a task La None consents to undertake, upon condition that the king will exact nothing of him contrary to his honour. La None is received with suspicion by the Mayor of Rochelle—to gain his confidence he put himself at the head of the Calvinists—then the king accused him of perjury to him. The Catholics exclaimed against him for having deceived the king; the Protestants for betraying them. In this position, La None, full of disgust, exposed himself each day to certain death. The picture of this man is the best part of the book. We must extract it.

'On returning from a successful sally, charged with prisoners, La None had great difficulty in saving them from being massacred—to the great rage of the populace. Having effected this, La None, accompanied by some gentlemen only, alighted before the Hôtel-de-Ville.

* A great two-edged sword.

The Mayor met him at the door, followed by several citizens, and an old Protestant Clergyman named La Place.

'" Well, brave La None," said the Mayor, holding out his hand to him, "you have shewn these assassins that all our brave men were not killed with the Admiral."

'" We have been tolerably successful, sir," replied La None, modestly. "Only five of our number slain, and very few wounded."

'" Twice you led the sally, M. de la None," answered the other—"We were sure of success before-hand."

'" And what could La None achieve, without the aid of God?" exclaimed the old minister, angrily. "It is God who fought for us to-day; he has listened to our prayers."

'" God gives and takes away victory at his pleasure," said La None, in a calm voice, "and him only ought we to thank for our successes." Then, turning to the Mayor—"Well, sir, has the council deliberated on the new propositions of his Majesty?"

'" Yes," replied the Mayor, "we have just sent back the herald with our entreaty that he should spare himself the trouble of again summoning us. Henceforth we reply only with our guns."

'" You ought to have hanged the herald," observed the minister, "for is it not written"——

'La None sighed, raising his eyes to heaven without replying.

'" What! yield!" pursued the Mayor: "yield! while yet our walls stand—when the enemy dares not even approach them, while each day we brave them in their very trenches. Believe me, M. de la None, if there were no soldiers in Rochelle, the very women only would suffice to repulse the assassins of Paris."

'" Sir; when one is the strongest one ought to speak with moderation of one's enemies; and when one is the weakest"——

'" And who tells you that we are weak?" interrupted La Place—"Does not God fight for us? And was not Gideon with three hundred Israelites stronger than all the army of Midian?"

'" You know better than any one else, sir, how ill we are provisioned. Our powder is scarce—I have been obliged to forbid the gunners to fire from any distance."

'" Montgomery will send us some from England," said the Mayor.

'" Fire from Heaven will fall on the Papists," said the Minister.

'" Bread becomes dearer every day, Mr. Mayor."

'" One of these days the English fleet will arrive, and our town be abundantly supplied."

'" God will rain manna, if necessary," cried La Place, impetuously.

'" As to the succours of which you speak," said La None, "if a south wind should happen to prevail for several days they cannot enter our port.—Besides they may be taken."

'" We shall have a north wind! such I predict, Man of little faith," said the minister, "thou hast lost thy right arm and thy courage with it."

'La None appeared resolved not to reply to him. He continued,

addressing the Mayor, "When we lose a man it costs us more than ten do to our enemy. I fear that if the Catholics press the siege with vigor, we shall be obliged to accept much harder conditions than those which you now reject with such contempt. If, as I hope, the king is satisfied with the recognition of his authority in this town, without exacting inadmissible sacrifices, I think we ought to open our gates to him—for he is our master after all."

'"We have no master, except Christ! A blasphemer alone could give the name of master, to that ferocious Achab—Charles, who drinks the blood of the prophets!" The minister's fury redoubled at sight of the imperturbability of La None.

'"For my own part," said the Mayor, "I remember well that the last time that the admiral passed through our town, he told us that the king had given his word that his Protestant and Catholic subjects should be treated alike. Six months after, the king, who had thus past his word, caused him to be assassinated. If we open our gates the day of St. Bartholomew will be reacted within them."

'"The king was deceived by the Guises. He repents and would ransom the blood that has been shed. If you irritate the Catholics by your obstinacy, in not treating—all the forces of the kingdom will come upon you—and the reformed religion will lose its only refuge. Peace! peace is the word—believe me, sir."

'"Coward," cried the minister, "thou desirest peace because thou fearest for thy life."

'"Oh! M. La Place," said the Mayor.

'"In short," said La None, "my last word is—that if the king agrees not to put a garrison into Rochelle—and permits us the free exercise of our religion—we ought to deliver up our keys and assure him of our submission."

'"Thou art a traitor," cried La Place, "the tyrant's hireling!"

'"Good God! what are you saying, M. La Place," repeated the Mayor.

'La None smiled scornfully, saying: "you perceive, Mr. Mayor, that we live in strange times—warriors talk of peace—and ministers preach war.—My dear Sir," continued he, at length addressing La Place, "it is, I think, your dinner time, and your wife is of course waiting for you at home."

'These words redoubled the anger of the minister. He could think of no abuse sufficiently bitter—and as a blow renders a reasonable answer unnecessary, he struck the cheek of the old commander.'

'"God's day! what are you about?" cried the Mayor—"are you mad to strike M. de la None, the best citizen and the bravest soldier of Rochelle!"

The principal character in the book is the hero's brother, captain George de Mergy, the Catholic convert. He is indeed what the French call *un franc Athée*—he has reasoned himself into unbelief—neither his imagination nor his heart, though that is good, whisper to him concerning the mysteries of eternity.

—He is physically and morally courageous—ready to meet danger—never flinching from it when in its very grasp. In contrast with him is another character, Beville. Courageous because that is a gentlemanly quality—an infidel because that is the fashion. Infinitely less susceptible to the feelings of others than Mergy, much more so with regard to his own—both these men are dangerously wounded in battle—are carried to a convent hospital—

'There captain George lay on a mattress reddened by his own blood and with that of his miserable predecessors on that bed of pain. A whisp of straw served him for a pillow—his cuirass had been removed—his shirt and waistcoat torn off—he was naked to the middle—but his right arm was still encased by his armour and his iron gauntlet. A soldier staunched the blood that flowed from his wounds—his brother was too overwhelmed by grief to afford him any efficacious aid. The captain was calm, and even endeavoured to moderate Mergy's transports of grief. Another mattress was placed at the distance of two feet off, upon which poor Beville lay in an equally wretched condition. His countenance did not wear the tranquil expression that was painted on the captain's—now and then he breathed forth a stifled groan—and turned his eyes on his neighbour, as if to seek from him a little of his courage or resignation.'—p. 369.

Around the bed of the wounded captain, the Catholic and Protestant clergy enter into clamorous debate. He refuses to listen to either:—

'"Sir," said La None, to the dying man, "trust to an old soldier—the exhortations of a man vowed to God may soothe a soldier's last moments—do not listen to the dictates of a wicked vanity, lose not your soul for the sake of a bravado."

'"I do not now," said the captain, "think of death for the first time. I do not need any one to exhort me to prepare for it—I never loved bravado—but now less than ever am I in the humour to listen to—"

'The minister shrugged his shoulders—La None sighed—both retired slowly, with downcast eyes. "Comrade," said Dietrich, "you must be suffering devilishly to speak as you do?"

'"Yes, captain, I am suffering like the devil."

'"Then I trust God will not be offended by your words, which strongly resemble blasphemies. But with a gun-shot wound through the body, Morbleu! one may swear a little to console oneself."

'George smiled and drank again—"Your good health, captain, you are the best nurse for a wounded soldier."

'He held out his hand to him—captain Dietrich pressed it with some emotion. "George, my friend," said Beville, in a lamentable voice, "Say but a few words to me—we are about to die! it is a terrific hour! And do you think now as you did when you converted me to Atheism!"

'"Without doubt—courage! in a few moments our sufferings will be over."

'"But this monk speaks of fire—of devils—of—the devil knows what—but all this is very discomforting."

'"Ridiculous!"

'"But—if it should be true—dear George—it were dreadful if it is so—to all eternity.—"

—'"Coward!"

'"Coward?—Yes, that is easily said—but one may be a coward at the prospect of eternal suffering."

'"Well then—confess yourself."

'"Tell me, I beseech you—are you quite sure that there is no hell?"

'"Pshaw!"

'"No reply—are you sure—swear to me that there is no hell—"

'"I am sure of nothing—if there be a devil, we shall see whether he be black."

'"How—thou art not sure?"

—'"Confess, I say—"

—'"But you will turn me to ridicule."

'The captain could not restrain a smile—but he added in a serious tone, "In thy place I should confess myself, that is the safest way—confessed and oiled, one is ready for the worst—"

'"Well, I will do the same—do you confess first—"

'"I? on no account."

'"By my faith you may do as you please, but I will die a good Catholic. Come father, hear my *confiteor*, and prompt me, for I have forgotten the way."

'While he confessed himself, George drank another draught of wine, then he laid his head on his hard pillow and closed his eyes. He was tranquil for nearly a quarter of an hour; then he compressed his lips and groaned heavily through pain. His brother thinking that he was about to expire, uttered a cry as he raised his head—the captain opened his eyes, "I entreat thee, Bernard, calm thyself."

'Again he closed his eyes, then again opening them he said to Mergy with a gentle smile, "Madame de Turgis charged me to tell thee that she loved thee constantly."

'These were his last words. He died a quarter of an hour afterwards, without any appearance of great suffering. Some minutes afterwards, Beville expired in the arms of the monk."'—p. 378.

In this bold and characteristic manner M. Merimée sketches the reality of things—probably believing that truth carries with it its own moral, and that the best lesson a novelist can give is that of toleration; nor can that lesson be injurious, while the truth is impartial and the book mirrors the world, where the irreligious feel sorely the want of future hope, and the wicked are, in spite of prosperity, unhappy, through the distrust and lonely void which renders their hearts a desert.

ART. XVII.—*The First Book of Euclid's Elements. With Alterations and Familiar Notes. Being an attempt to get rid of Axioms altogether; and to establish the Theory of Parallel Lines, without the introduction of any principle not common to other parts of the Elements.* By a Member of the University of Cambridge. Third Edition. London. R. Heward. 1830.

THIS is an attempt to carry radicalism into Geometry; always meaning by radicalism, the application of sound reason to tracing consequences to their *roots*. To those who do not happen to be familiar with the facts, it may be useful to be told, that after all the boast of geometricians of possessing an *exact science*, their science has really been founded on taking for granted a number of propositions under the title of Axioms, some of which were only specimens of slovenly acquiescence in assertion where demonstration might easily have been had, but others were in reality the begging of questions which had quite as much need of demonstration, as the generality of those to which demonstration was applied. In this condition of the science it may be matter of surprise, that no interested supporter of things as they ought not to be, ever bethought himself of appealing to the state of geometry, as evidence of the impossibility of applying rigid demonstration to any thing, and the necessity there is in all human affairs for resting on some assumption or other, which mankind must be taught to believe without proof.

The ready defence will be, that the points taken for granted, were what every body knew to be true. The reply to which is, that in the first place, if they were ever so true, no good reason can be given why a thing should not be demonstrated if it can; and in the next, that the points taken for granted, or some of them, were *not* such as every body knew to be true, with any thing like that precision of knowledge, which it is the object of science to effect.

A common carpenter has a certain sort of knowledge, that if he draws a triangle with two of its sides equal, the two angles or corners opposite to these sides will be found equal also; and nobody has any intention of setting up an assertion that the carpenter is wrong. Why then does the geometrician disturb himself with searching for what he calls a *demonstration?* and why does not he write down the fact, and give the carpenter as his authority? First, because the carpenter's observation amounts, at best, to a proof of nothing but that in a certain number of instances he found the proposition hold good; but if the geometrician can detect the reason, why the proposition must hold good not only in all the instances

which the carpenter *did* try, but in all that he *did not* try besides, he has manifestly gained a march upon his rival, and in the space of a few minutes done something vastly more complete, convincing, and satisfactory, than all that has been established on the subject by the *rule of thumb*, in the process of the carpenter's whole life, and the lives of all possible carpenters to boot. Secondly, because, though there may or may not, be much opening for mistake in this particular observation, yet if a collection of observations of the same description were written down in a book and entitled a treatise on geometry, it is highly probable, or more properly quite certain, that in some or other of them there would be a powerful admixture of error, through the want of a comprehensive view of all the circumstances affecting the result. Thirdly, because the same application of reason which enables the geometer to give the general and universal solution of this particular proposition, will enable him to advance rapidly to the discovery and demonstration of many propositions which all the carpenters in the world would never have dreamt of, and which it would have been utterly in vain to expect that men should ever discover by a merely tentative process. And lastly, because the very exercise and practice of all this, in addition to what may turn out to be the practical value of the discoveries that result, is of high utility from its tendency to throw light on the processes of reasoning, and the conduct of sound argument in general.

The question, therefore, of whether a geometer has well or ill done his work, will rest to a considerable extent upon determining, how far he has succeeded in taking his propositions out of their primitive state of assertions found to accord with a limited number of experiments, and placing them in the condition of truths which can be shown to be necessarily applicable to all possible experiments. And this last operation, is what is meant by *demonstration*.

The attempt to get rid of Axioms, is laudable, if successful; but like other rebellions, it must be justified by success. No good ever yet came of axioms. Legitimacy is an axiom; persecution is an axiom. The proposition must be such as was never started on this earth, if it cannot be established by the intervention of an axiom.

The modes in which the present attempt has been conducted, may (with the exception of the complicated question on Parallel Lines) be briefly described.

Instead of calling on mankind to declare, that they always knew that 'things equal to the same were equal to one another,' and moreover that 'magnitudes which coincide

with one another are equal to one another,'—they are invited to consider, whether the circumstance that the boundaries would coincide if they could be applied to one another without bar of corporeal substance, or at all events might be made capable of doing so by merely a different arrangement of parts,—is not in reality, as respects the objects of geometry, the definition of *equality*. But if so, this measure of equality is as applicable to three magnitudes at once, as to two; for it is only an act of the imagination in any. If this be true, it removes the First and Eighth Axioms of Euclid at once. It converts the Eighth into a Definition, and the First into a Theorem; and all the intermediate ones, resolve themselves into Corollaries to the First.

That 'the whole is greater than its part,' is omitted as only an identical proposition, that 'the greatest is greatest.'

That 'two straight lines cannot inclose a space,' is taken, as Euclid really makes it, for the Definition of straight lines. This may be right or wrong; but it is nothing new, for it has been Euclid's for two thousand years. It has been objected to such a definition, that it is 'only negative.' Is the definition that 'a straight line is the shortest between its extreme points,' at all less 'negative?' But the question is not whether any definition is negative, but whether it is good; or in other words, whether it obviously distinguishes the thing in question from all other things, and is easily applicable to the determination of consequences.

That 'all right angles are equal to one another,' is made the subject of a demonstration.

There remains then only the question of Parallel Lines; a subject on which so much has been written, and with so little result, as to make it an act of some danger to advance an opinion upon the point. The objection to the existing state of things is, that the Axiom assumed by Euclid, is one which needs demonstration, in at least as great a degree, for example, as the proposition before alluded to, of the equality of the angles at the base of an isosceles triangle. As in that, it is easy to bring evidence that every man who has tried the experiment has found the rule to answer. But, as in that case also, there is still the query, why. There appears no *primâ facie* reason, why the one proposition should not be as capable of a general demonstration as the other; and if the fact should be, that one of them is *not* capable of such demonstration, this fact alone would be matter of considerable curiosity, to those who have contracted a taste for such inquiries.

The mode in which the solution is sought, is by endea-

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vouring to demonstrate that if at the extremities of any straight line, two perpendiculars are drawn of equal length and towards the same direction (as may be familiarly represented by three sides of a sheet of paper, or any object of similar form), the straight line joining the other ends of these perpendiculars shall make right angles. And the way in which this conclusion is pursued, is by trying to demonstrate, first, that if the angles at the base or first side are equal, and greater than right angles, the others must be less; and secondly, that if the angles at the base are less, the others must be greater.

The demonstration offered of the first of these propositions, is by placing side by side a number of quadrilateral figures equal in all respects to the first, and showing that if their bases are produced, they must successively cut off greater and greater portions of the side of the first or original figure; and consequently, if the number of quadrilateral figures is increased, a time must come when the prolongation of the base of some or other of them, will meet the series of lines formed by the sides of the quadrilateral figures which are opposite to their bases. And as it has been previously established that the side opposite to the base must in each of the quadrilateral figures be parallel to its base, and the angles adjacent to such side be equal to one another—it follows that these angles cannot be right angles, but must be less. The principle appealed to is the same that was produced by M. Legendre in the 7th edition of the *Eléments de Géométrie*, and withdrawn in consequence of the imperfection of the process by which the remaining step (which, in M. Legendre's case, was that the three angles of a triangle cannot be less than two right angles) was attempted to be established.

The procedure for the demonstration of this second part, is by establishing, that if two equal straight lines terminated in the same point, make an angle less than the sum of two right angles; and this be bisected by a straight line of unlimited length which will for distinction be called the *axis;* and at the outward extremity of each of the two equal straight lines be added another straight line equal to the first, and making with it an angle equal to the first-mentioned angle and on the same side of the line,—and so on, lines be added continually; and if the extremities of every two equal straight lines that were added at the same time, be joined by a straight line or *chord;* each of these chords shall make the angles at the two *cusps* or corners, where it meets the equal straight lines, equal to one another; and (so long as none of the equal straight lines meets the axis) the several chords shall in succession make greater and greater angles at the cusp, each than the preceding. And the way in which this is proved,

is by drawing straight lines from the end of one chord to the end of the next; which shows, almost by inspection, the successive increase of magnitude of the angles at the cusps. A Scholium is added to warn the reader, against supposing that the proof that the angle will continually increase, is any proof that it will attain to a given specified magnitude; a snare into which many of the searchers after a theory of Parallel Lines have notoriously fallen.

The next object of proof, is that *if* in a series of straight lines like the last, the angle at the cusp ever becomes equal to, or greater than, half the angle made by the two first of the equal straight lines, the angular points must lie in the circumference of a circle, whose centre is in the axis, in the part of it which is cut off by the chord; and the series, being continued, must at length meet the axis. And this is done by drawing a line from the angular point of the cusp, so as to make with the last of the equal straight lines that was added, an angle equal to half the angle above described; and showing that the point in which this line cuts the axis, must be equidistant from all the angular points.

The next step is, that in a series of straight lines as before, if a straight line of unlimited length both ways, be moved along the axis, keeping ever at right angles to it, such straight line cannot quit or cease to meet the series, without the series having previously met the axis. And this is supported by showing, that when this straight line arrives at any of the cusps, there must always be another pair of straight lines ready for it to pass over, unless in the event of these straight lines having ceased to make an angle with the chord on the side which is towards the axis; and that before this can take place, the angle at the cusp must have been of that magnitude, which has been shown to insure the series meeting the axis.

These preparatory propositions are followed by the decisive one, that in a quadrilateral figure as before described, if the angles at the base are less than right angles, the others are greater. And this is shown by placing a number of the figures in question side by side, prolonging a side of one of the central ones for an axis, and supposing a straight line of unlimited length to move from the vertex along the axis at right angles to it, till it has passed the extremity of the side of the quadrilateral figure which was prolonged to make the axis. If after this it is further moved forward, it must do one of three things; it must either fall in with some of the angular points of the series formed by the bases of the quadrilateral figures, and make an angle at the cusp less than one of the angles

at those bases; or it must make an angle *greater* than this; or it must never fall in with any of the angular points at all, which can only be in consequence of the series having met the axis. In the first case, it is plain that the angles opposite to the bases are not right angles; for if so, there would be two straight lines perpendicular to a third straight line, and which yet meet. Still less could the lines in question meet if the angles were *less* than right angles; therefore they must be greater. In the second case, it has been shown that the series being continued must meet the axis; and consequently the sides opposite to the bases must form an interior polygon, and meet the axis also. From which it is clear that the angles cannot be right angles, for then the sides would be in one straight line, and two straight lines would inclose a space; and still less could the meeting be effected if the angles were *less* than right angles; therefore they are greater. And the same inferences hold good in the third case; in consequence of its having been proved that in this case also the exterior series must have met the axis. In a note it is attempted to show, that this third case might be dispensed with, by proving that there must be made at least *one* pair of cusps after the moving line has passed beyond the extremity of the side of the quadrilateral figure which was prolonged to make the axis, without the possibility of this being prevented by the series meeting the axis.

If all this can be established, it is an easy inference that if the angles at the base of the quadrilateral figure are right angles, the angles opposite to the base must be so also. From which it readily follows, that the side opposite to the base is equal to the base. That the angles of any right-angled triangle are equal to two right angles, may be proved by completing the quadrilateral figure And by drawing a perpendicular to a side that lies between two acute angles, from the angular point opposite, any triangle may be divided into two right-angled triangles; from which it may be inferred that the three angles of any triangle are equal to two right angles. After this, the proposition conveyed in what is commonly called the 12th Axiom, may be proved in the case where one of the angles is a right angle, by taking a point in the line which makes an acute angle with the line that intersects the two others, drawing a perpendicular from this point to the intersecting line, and then constructing ranks of quadrilateral figures which from the previous data it is easy to prove rectangular and equal in all respects, and showing that the line from a point in which the perpendicular was drawn, must coincide with the diagonals of a succession of these rectangular figures, and consequently must

at length meet the other line. And when this is proved in the case where one of the angles is a right angle, it is easy to prove the same in the case where neither is a right angle.

If this should happen to be true, it appears to be no reasonable objection to say that it is long. If it can be shortened, till it is as short as the First Proposition of the First Book, it will be well; but if it cannot, it is not a reasonable objection to say that it is long. It would be interesting to know, of any individual geometer, at what precise point he would recommend the introduction of bad reasoning for the sake of brevity. There are, on the common calculation, forty-seven mortal Propositions, before arriving at the demonstration of the square of the hypothenuse. Why should not two-thirds of these be cut down, by an effort of our *royalists* in Geometry?

ART. XVIII.—*Considérations Politiques sur le temps présent.* Paris. 1830.

THERE is a prodigious difference between the day before a great victory, and the day after. And manifold are the occupations, the interests, the engagements, which start into existence in the first moments of the felicitous decision. Some collect the facts, some crown the victors, some honour the lost, some assist the disabled; or more strictly they do all and each of these at once, to the greatest extent which the nature of things admits. Among all these employments, there is one more, which is not incompatible with any of the rest; and that is, to endeavour to extend the influence of the results,—an occupation peculiarly acceptable to those, who though removed from any direct operation on the scene of action, have laboured for months and years, in the department that was open to them, to clear some roads for *possible* advances, to provide some checks for *possible* efforts of the adversary, and in their remote sphere to organize or to forward some branch and portion of the general aim. All men cannot be every where; if somebody is to be nearest, somebody must be further off; but it is a pleasant thing to have ridden private gentleman on the right and the victorious side, though the service went no further than cheering on certain individuals to throw their caps up for the good old cause, or helping to have a wounded drum-boy laid snugly in a captain's quarter.

It is done. The Stuarts are beaten over again. Our forefathers are in the right in August; though they were in the wrong in June. The rubbish that we like fools and milksops had

allowed to be heaped upon their graves, has all been shovelled away by the *sapeurs* of the National Guard of Paris. It will be long before we are told again in the House of Commons, that it would be absurd for Englishmen to think of resisting tyranny, '*in the existing state of the continent.*' The horn-blowers of arbitrary power in England, have bethought themselves of asking, what the French people have got by their revolution. This is what *we* have got by it; and the French people are probably as well acquainted with their own side of the account.

And what have the French people got; and what is each individual's share? Ask what each Englishman would have got, if the sovereign and form of government supported by the British people had been removed by foreign arms, and supplanted by a race whom every village in England had sacrificed twenty of its children to keep out; and if this worst of sufferings and deepest of misfortunes, had by one heroic effort of the metropolis been cast off, and the intrusive usurpers sent to eat their discreditable bread in foreign lands. Inquire accurately, what portion of satisfaction would have been the particular reversion of each individual Englishman, if, in about the time that a birthday ox takes in roasting, his country had risen from being an object of commiseration to the benevolent and of scorn to the haughty, to set itself at the head of all previously existing combinations of human kind, and stand forth a lode-star and a guide, with brightness that history cannot parallel nor imagination surpass. Fancy a man yesterday nothing, to-day every thing. Calculate the difference between bearing about an iron in the soul, and walking in the consciousness of being pursued and pressed upon by the gratitude of human kind. Exhaust all images of such as have lain down in sorrow and risen in joy; and then tell the English absolutist, what each individual Frenchman has gained by his Revolution. *La belle France!* whose men were so gallant, and whose women were so beautiful; and that had suffered so much in the cause of all mankind! If there be gratitude to heaven for raising up some people to be a light and a guide to Europe, there shall be yet a subsidiary thanksgiving, that this people should have been hers.

But this is diverging; but who can help it? The proposal was, to forward the results. And what *are* the results? In England, these. That fifty years of the labour of bad governors to bury and depress the principles of our own Revolution, have been swept away at a blow; and we, the friends of that Revolution and of all revolutions that the defence of civil liberty makes

necessary, are uppermost. Heaven forbid an atom of the honour should be taken from those to whom honour is due. As far as Englishmen were concerned (saving always the exertions of some half score of our countrymen who fought at Paris) it was pretty nearly an act of God. But here we are. The men who have overwhelmed us with debt to pay for helping despotism in all corners of the earth,—who charged us with the American and French wars, and then told us to look at the continent, and see what chance there was of resisting tyranny at home,—the men who made peace only to give us the Corn Laws and the Six Acts, and bestowed on us the last twigs of that birch within twenty-four hours of the deliverance of Paris, —the men who made the Manchester massacres (*military light* has been thrown upon Manchester massacres since then; there will be no more;)—all these are just now rolling in the gulph, like their prototypes of poetry. They are in the condition of the wolf that is taken in a pitfall; who, say the naturalists, is so alarmed, that he may be gone in upon and muzzled, without offering to resist. They know their strength; and we know ours. Nine tenths of the British people are at this moment united in one strong bond of attachment and zeal for the recovered principles of their forefathers, and anxious to prove that they are not unworthy to weave a portion of the same web. They have only to show themselves and to come forward, in all those constitutional ways with which they happily are provided; and their adversaries will surely take advice—will act like sensible men, and lie down quietly when they are down,—and save a great mass of trouble to themselves and every body. Let them bethink themselves of their own argument,—a Daniel come to judgment!—If the people of England had no physical chance for resistance *then*, what ultimate chance would there be for the refusal of its just claims *now?* But they will be wiser; they will know better than to run needlessly into harm's way. There will always, under the very best state of things, be a modicum of scraps and cheese-parings for Tory man to live by; and they will be contented with what heaven sends them, without attempting to increase it by paying the double of its worth.

This then is the first result to England;—that her people, like the French, have risen in a week, from the state of conquest in which they were placed by the unfortunate successes of the Tory arms. They are no longer the *sub jacti*, the thralls of the sword and of the bow, of the Holy Alliance, nor of the English branch of it. They have walked forth, by the blessing of Providence and many strange combined interferences, into a

state of light and liberty, to which there is nothing comparable in their history, except the change produced by the accession of the other William. What our forefathers were then, we are now. There is no use in being diffuse, in carrying on the parallel.

In this new state of things, the manifest duty and interest of the British people, is to begin, support, and promote every measure, at home and abroad, by which the stamp of final ill success and defeat may most effectually and prominently be put upon the measures of their enemies. It is to do every thing, which may help to undo what the others did. To think of staying their hand, because the things to be undone were the deeds of *British* misgoverners and *British* bad ministers, would be as absurd as to have carried on the war with Holland after the disappearance of James the 2nd. It is true that the war had been carried on with English treasure and with English blood; but it is precisely because it had been so carried on and in the teeth of the interests of the English people, that war, if there is to be war, must be on the other side when things have changed. The Jacobites, no doubt, looked back with poignant regret to the times when Englishmen cut the throats of Dutch republicans, and Dutch republicans cut theirs, for the special end and purpose of maintaining a Holy-Alliance pressure upon the liberties of both;—but it would have been a most strange result, if Englishmen, after their liberation from the Holy Alliance influence, had allowed themselves to be misled by appeals to the glories of Dutch wars, and the successes of Holy-Alliance battles. If Englishmen loved military glory, there might be glory on the right side, as well as on the wrong; and it was not long before they had a Marlborough, whose glories were as good as any that had preceded. It would have been a most vain and bootless process, that should have tried to stay the progress of events, by getting up dinners to anti-Dutch commanders; and those commanders themselves, would have been weaker men than they were ever taken for, if they had not the genius to put themselves at the head of the new movement, instead of harping upon the old. Russell in the Downs, was as mute as Wellington at Manchester; and where there was no use in grumbling, those were wisest who said least. We are all content, from the throne downwards; with exceptions in about the same proportion, as the white blackbirds and prodigious gooseberries in a country newspaper. The whole game is on our side of the board, king, queen, and all; if the others can produce a bishop or a knight, it is as much as they can show. Every body is in great good humour with

every body; there shall nobody be hurt, only the cause of the people must go forward. If the king wants a yacht, or Her Majesty's Grace would like a few acres of real lace,—a contented people is as well able to pay for them, as a sulky and discontented one. But we must have no Stuarts, here or any where. Not a sixpence nor a fathom of rope, to help to declare our own king a usurper, or to set up a Pretender any where in opposition to the people's choice. Our own king, for these hundred and forty years, has been legitimate by virtue of his illegitimacy; and three hundred thousand bayonets could be brought, if need were, to prove this to be good law. If any body is disposed to protest against the inference, will they have the kindness to state with clearness, why a nation with the force in its own hands should not be competent to put down a tyrant, as well as to put down a thief? But, says the tyrant, *I am put down by an appeal to force.* And so is the thief; the community would be in a sad estate, if it might not resort to force, till the thief could be persuaded to sign the warrant. But, again, *I make the law.* Who told you so? You may make it the day before you are beaten, but certainly not the day after. Finally then, *I ought to* make the law. But Quere, why? You *think* you ought; but what if other people think differently. You may have got the true truth; but what if fifty others have got their true truth also, and that a different one. Is there any thing that you can do in such a case, but wait till the others are converted? And here the case must rest. Is there any body that does not see, that the thing called *legitimacy* is a paltry argument in a circle,—fit only for the fool, who tried to climb into the buttery on his own back?—We are *legitimate,* because we *make the law;* and why are you to *make the law?* because we are *legitimate.*

There would indeed be another way of putting the argument for legitimacy, which at first sight might seem to contain more of reason; but then its friends will not put the question so, because they know how much the result would finally be against them. And that way would be, to state that such great and undeniable uses have been found in an absolutely unchangeable order of succession, as to swallow up all other reasons, and bind all living creatures to the support of the unvarying rule. But here the misfortune is, that facts and history are against them. No man is disposed to deny, that in countries where there is an absence of the organization for transferring the highest executive power after certain limited periods (which is what makes a principal feature in the form of government known by the title of republican), there is great and decided use in a fixed rule;—

that is, in a rule so far fixed, as to be undeniably sufficient for regulating the succession under the ordinary circumstances of a number of individuals who would be all equally happy to take it if they could. But the fact established by history is, that whenever the conduct of this highest executive is so bad, as to force the community to encounter all the suffering attendant on a forced ejection, it is right that the ejection should take place, and that it should extend beyond the actual holder, to all whose claim is but a prolongation of his own. If the holder is barred of succession by the act of the community, all who claim succession through him are barred also; if any body thinks the contrary, let him try the effect of barring the operation of a common fine, by claiming for the heir at law. The heir is heir to his father's property if he keeps it; but not if the community has taken it away for punishment. A rule which should say that the succession might be barred for crime, but that it could only be to turn it over to the heir,—would be nugatory and fit for idiots; no people have ever been so contracted in their cranial developements, as to think of submitting to it. The English notoriously set their mark upon the folly of it; and the French have not been behind to follow their example. It may not have been entered in a particular book, or engrossed in a certain hand on the skins of a particular kind of beasts;—but it has been written down good national law, in characters more legible than ink and more durable than parchment, for at least these hundred and forty years, to go back no further,—that a sovereign who is weak enough and wicked enough to oblige a people to take the trouble of ejecting him by force, has broken the line of succession for himself and all that claim to hold of him. The necessity of the ejecting power, is simple matter of history. Thirty millions in France are at this moment holding up their hands and declaring to its truth; and though an ultra-royalist may abnegate their right to have any thing to say upon the matter, he cannot abnegate the historical fact that they hold up their hands and say so. That it is politic that the succession should be preserved in all but the extreme case,—will never prove that it must be preserved in the extreme case too. It is very meet and right, that a man should walk the streets without being knocked down; but he must be knocked down, if he proceeds to cut his neighbours throats. The argument is not transferable from the general rule to the exception; and for this plain cause, that the reason which makes the rule, makes the exception too. Men in general must walk the streets in quietness, because it is necessary for the public good it should be so; but a man who tries to cut his neighbours throats, must

be brought to the ground like a mad dog, for the self-same reason, that it is necessary for the public good it should be so. And it makes very little difference whether a man proceeds to cut his neighbours throats *simpliciter*, or whether he says to them, 'You must bottle up your words, your thoughts; you must think as I think, and do as I do; or else here is a line of well-fed able-bodied gentlemen, who shall cut your throats for you in the newest method practised in the army.' There will be a difference in the mode of acting in the two cases; a mad dog may be brought to the ground with a butcher's cleaver, or any other of the weapons of suburban war, and the other requires barricades and a more tedious process; but the principle is the same. It is the simple right of self-defence, which men will neither be fooled out of nor frightened out of, that acts in the two cases alike. If it should be said that men have a mania, a *pruritus*, for ejecting sovereigns,—it might be asserted with as much show of truth, that they have a mania for having a leg cut off in St. Bartholomew's Hospital. The process of ejection, in one case as in the other, is a troublesome process, an awful process, which men never undertake nor dream of undertaking, but under the heavy pressure of keen necessity. The fallacy that says the contrary, is one that only shows itself in company, for want of looking for the cloven foot.

The English people are on the side of the French Revolution, because they have the legitimacy of their own sovereign to defend, and because they have no intention of seeing any body remove the sentries from the Horse Guards, and send for the king of Sardinia. Those who are of this opinion say Aye; those who are of the contrary opinion say No, and let us see how many they are. If an attempt should be made to decry the analogy between the Revolutions, it will only end in showing that the French was the better of the two. There was the very awkward circumstance about the English one, that it was undeniably brought about in part, by the help of certain regiments of Dutch Guards. If the French people had called in the Swiss instead of the king, their revolution would have been where ours was; and the Swiss regiments added to the Dutch, give the difference by which the French revolution was better than the English.

It appears to be decided that there is to be no direct attempt on the part of the arbitrary sovereigns, to put down the contagion of English principles; for English they may be called, by right of seniority, though there is no denying that their resuscitation in France has been attended with a splendour vastly surpassing any thing that took place in England. The English revolution was, as somebody has rightly observed,

useful, but not glorious. It was a tame affair, as far as related to external effect; but it had one great good quality, it was permanent. It may perhaps be at some time gone beyond, and so may a mile-stone; but like a mile-stone, it will not retrograde, but remain a mark by which future generations will calculate their progress.

The further directions in which every person must feel anxious to attempt some calculation of the results, are in its effects on France, and on the rest of the continent of Europe. Is the revolution ended in France? Clearly not. It is where a man is, when he gets up in the morning and has his day's work before him. But there is a right way of doing this day's work, and a wrong; and it is a great blessing to be in the way of starting fair for a beginning. France has thrown off the foreign conquest; for herself and England too. Men on the two sides of the Channel stand up free; and the Cossack spear can no longer be held out *in terrorem*, at Manchester, or at Paris. But Frenchmen have got one more great advantage; they have the arms in their own hands, and the world may rest persuaded, that they will not be induced to give them up. They will not be led away by the English journalists who prove, that the only way to be safe, is to subscribe for gunpowder for blowing out our own brains, with *item* for the keep of a man to light the same. They have got the power, and they will keep it; there is no doubt therefore that in the end, they will have every thing their own way. The only question is, whether they will go quietly about the operation, or not quietly. And here it by no means follows, that because men have arms in their hands, they must attempt to perform every thing by force of arms. Englishmen have weapons of no mean power, attached by nature to their brachial extremities; and yet they forego the temptation of legislating through the medium of pugilistic combats, because they know there are other ways equally effectual, and which save a large amount of bloody noses in the process. What holds good of these weapons, would hold of more dangerous ones; in fact the premium would only be the greater, on paying deferential awe to the inventions of voting and election. There is therefore no inherent reason, why a nation with arms in its hands, should not agree to settle its affairs by the innoxious processes of ballot and petition; the contrary assertion is only the old Tory jingle, about 'an armed nation being governed like an army.' What is to be desired, at least on this side the water, is, that if the French community is not content, petitions may be seen pouring into the seat of government, of which one end shall be within the *barriers*, and the other at Lyons or Bordeaux. If *these* pro-

duce no effect, it might be time to think of further operations; but *till* then, the subject seems to be premature. It is very well known that an English ministry cannot stand against shot of this kind; and it is hard to conceive, that in the existing state of things, a French one should have any armour that can turn it. No ministries are good for any thing, intrinsically; there never was a good one, nor ever will be. They all do precisely what they cannot help; and provided there is but the impulsive force to drive, one is very little better than another. It would be sad waste of time, if the French people were to wait till they got a good ministry. These are among the things—and there are some—which are better understood in England. Nobody here waits for a good ministry; the worst will do our business, *if we can only make it.* The French people will be to blame if they burn as much gunpowder as would scare a rookery, in the course of obtaining every thing which they can agree among themselves to wish for. There is no doubt that the process must go a long way. Other nations, and Englishmen in particular, look to them for a practical declaration, that all the acts of a government established by foreign force are *non avenus* and of no avail, except so far as the legitimate government shall see a fitness in confirming the existing state of things. There must not be a man of the ancient army, who does not find himself, to the extent of what human talent can devise, in the self-same rank and place that he would have occupied at this day, if he had never been ousted by the appointees of the foreigner. There must be nobody led to battle by men who carry the colours of the enemy in their pockets, and wait only for an opportunity of sacrificing their followers. There must be a huge extension of the right of suffrage, and a withdrawing of all pretended apprehensions that the represented shall chuse a man too young or too old to guard their interests. All priests who will not sing the *salvum fac* to any substantive the community may chuse to add to it, must be sent to teach French at English boarding-schools. That all these things and many more must be done in the end, no man will be found to doubt; but there is no occasion to mar the whole by hurry. The *recognitions* are at this moment hardly clear of the shell; and there is scarcely any of the changes that are to be, that would not have served the enemies of France and England for a splendid plea to hang a refusal of recognition on, if it had come a week too soon. It is clear enough, that the intense feelings of a nation cannot be hushed into repose before the cold demonstrations of policy; but still, when it is proved that great advantage has arisen already from

a particular course, there must be somewhere a class of minds, on whom the argument will not be urged without effect.

But though there may be reasons to check impatience, it does not follow that men are to put up patiently with the final loss of what they ought to have. A people who have just thrown off the effects of foreign conquest by force of arms, are neither to be deceived nor trifled with. There are many facts, or more properly *non-facts*, for which it is exceedingly difficult to assign any just cause. For example, when it is notorious that an extensive portion of the French electors were deprived of their suffrages within a few years by the act of the foreign government—what living man can give a just reason for eight or nine weeks having past, and nothing done towards undoing this youngest-born of foreign domination? Or when the same agents of the foreigner on their first arrival promised to remove certain taxes peculiarly odious to the community, and of course never did it,—that nothing effectual should have been performed towards meeting the complaints of the community on this point? Or more ominous still, that nothing should have been done to satisfy the just anxiety of the public, to know how long it is to be before a chamber elected under the guns of the foreign despots, is to be replaced by a national one. Inferences from one country to another may be liable to mistake; but it is inconceivable to Englishmen, that if they were in the act of a recovery like that of France, a chamber of such a kind could last one week, after the cessation of the palpable necessity for using it for an instrument of temporary regulation. They are utterly at a loss how it can be, that either such a chamber, if it has no popular members within its walls, should not be dissolved by the loud and unanimous display of public opinion; or that its popular members, if there are any, should not establish for themselves a right to the renewed support of their constituents, by raising an irresistible voice themselves. Something must be done on these points within a few weeks; or we shall have more arrivals at our *ménagerie* in England. The French ministers would appear to be a sort of Whigs; which means men whose object is to do the most they can for themselves, through the medium of doing the least they can for the community. Nevertheless when a community has got so much real power as the French, it is the fault of the community if every thing is not done which it desires. Under the pressure of such a force, the ministry must either bend or break. A ministry which has not yet thought of taking off the latest shackles laid on by the lieutenants of the foreign powers, can be no object of commiseration, whatever may befall it.

The effects of the young Revolution on the rest of the world, are easy enough to calculate in the gross; though it would be labour thrown away to attempt to follow them in detail. As in the Roman epigram,

Dum radis, altera barba subit.

It is the *débâcle* come at last. It is the breaking up of the great frost. There may be a few weeks difference between its operation in one place and in another; but it will reach all in the end. The people every where know that their cause is won; that their enemies are defeated, disgraced, and made ridiculous; and that they have only to sit still like passengers after a storm, and wait till a convenient plank is put out for them to land in the haven where they would be. Spain and Portugal are militarily cut off; every day's delay in those quarters, is only so much more security for things being done effectually and well. Belgium is a sore point; but it will all be well a twelve-month hence. If the population of Belgium should be obliged to succumb for the present, any attempt of the victors to go beyond the moderation of the victorious party in Paris, would be the signal for free Europe to present itself within the Belgian frontiers. The Dutchmen will not be too officious. They have money-bags that will be bail for their not doing any thing it would be unpleasant to remember, if there should be a good skating-season in the winter that approaches. If they hurt a single Belgian, he shall be charged in the bill when the time comes. The world is looking out for somebody to read a moral lesson on; and the unfortunate Dutchmen will be ground to powder, if they put themselves in the way of the great machine. If they trust to English agents,—was there ever any body that trusted to English agents, and was not deceived? The English minister is on the point of being driven to take refuge in the popular ranks if he means to preserve his ministerial existence; and he will not ask the English people to go to war, for the sake of keeping his aides-de-camp on thrones. Any apprehension of interference from the English Tories, is irrational. They have no way of interfering, but by dispatching a force; and they will take advice before they determine upon that. It would perhaps be in the end one of the happiest events, that they should try; for the soldiery would return with their heads full of Belgian girls and Belgian principles, and the last state of those Tories would be worse than the first. There are reports of the appearance of mental reservation in the recognitions from some of the continental powers. If so, the apparition of a *corps d'armée* under the

tricoloured flag towards the Rhine, and another towards Italy with the addition of such Spanish and Portuguese batallions as in a few weeks may be conveniently forthcoming, would be very likely to act as what Dr. Ketchener was wont to entitle a *per-suader*. If Russia makes difficulties, she will be answered in one word, 'Poland!' Her Northern and Southern provinces are ripe for a diversion, the spirit of change is in her armies and among her people, and there is scarcely a family of eminence that has not some relative in exile for opposition to the existing form of government. Under such circumstances, it needs no gift of prophecy to know, how little able Russia would be to oppose the contingents of civilized Europe, marching upon Poland with a demand that Russia should give up every thing she has taken by force or fraud for the last half century. To such a consummation of national necessity, the people of England would contribute with zeal and delight, for though they are far from being [illegible] in tracing causes and effects, they are quite able to understand how Russia, at most times has been the [illegible] which our enemies brought in for the purpose of [illegible] Russia. Now, if she be good behaved, [illegible] shall be [illegible] Warsaw [illegible] Warsaw. [illegible]

the people, whom they trampled on. There is a new Holy Alliance, in which they are the wolves; but the wolves, this time, who are to be muzzled and controlled.

A reasonable object of curiosity, at least in Great Britain, is to know what precise degree of connexion existed between the *ci-devants* of France, and the British cabinet as it stood at the period immediately preceding the change. The subject would have better suited a preceding Article; and ought, but for a misapprehension, to have appeared under the same authority with other facts connected with the events of Paris.

The British ministry was *not* a party to the Ordonnances in France; saving only the possibility of a personal understanding between individuals, which as being impossible to prove or disprove, ought not to be admitted on presumption. The connexion was *on another point*;—Greece. The British ministry received the nomination of Polignac with delight; because on this subject it found him an ally. The cause of Greece was hateful to the Tory aristocracy; and the cause of Turkey proportionably dear. The previous French ministry had on this point been in the highest degree intractable. It had urged the importance of making Greece, not Turkey, the barrier against Russia; and it was not till the accession of the Polignac ministry, that the communications between the two cabinets went on with ordinary smoothness. But neither was Polignac the author of the celebrated Ordonnances; they originated with the individual now dethroned, under the guidance of the spiritual power. A debauchee in early life, he had the usual anxiety of ancient debauchees, to enter heaven under the lappets of the church; and the church displayed its usual anxiety, to make its earthly market by an ancient debauchee. The light thrown on the character of George the Fourth by the memories preserved of him in France, is by no means favourable. In his latter days, he was an admirer of despots and of despotism. His mind had become right legitimate; the freedom of the press was gall and wormwood to him; and the sentiments which he expressed on foreign questions, would have been less misplaced in the mouth of a continental *roitelet*, than of the splendid representative of the sovereignty of the British people as expressed in the establishment and maintenance of the Brunswick line. On the whole there have probably been few events in the personal history of kings, which have produced a more marked effect on human happiness, than the accession of the existing sovereign to the British throne.

One word to the abettors of arbitrary power in England. Let them keep a clean tongue on the subject of republicanism. To

hear them, it might be supposed that republicanism was some strange vice; instead of being, like heaven, a state to which no objection can be found except the fear that we are not good enough for it ourselves. There is no policy in keeping up this contest, in a balanced government like ours. If one side will hold its peace, the other might.

ERRATA.

*** In the article on Jefferson's Memoirs and Correspondence, there are several typographical errors, the sheets having been inadvertently printed without having passed under the proper revision. The following corrections are the most essential:—

Page 318,	line 21,	read	*were*	pretended.
" "	" 41,	"	State *Governments*.	
" 321,	" 21,	"	*final* votes.	
" 322,	" 24,	"	Figure apart.	
" 323,	" 22,	"	*Warden*.	
" 325,	" 11,	"	1200 dollars *annually*.	
" 327,	" 21 of the notes, read 1804.			
" "	" 27	"	"	1787.
" 328,	" "	"	"	*amovable*.
" 329,	" 22	"	"	specific *redeeming* taxes.
" 332,	" 19	"	"	their roads, police, elections.
" "	" 35	"	"	to the exclusion of the *pseudalists*.

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